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R. S. Carew

MEMOIRS

OF THE

LIFE AND WRITINGS

OF

BENJAMIN FRANKLIN.

VOL. II.

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LIFE AND WRITINGS

OF

BENJAMIN FRANKLIN.

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BENJAMIN FRANKLIN,

LL.D. F.R.S. &c.

MINISTER PLENIPOTENTIARY FROM THE UNITED STATES OF AMERICA AT THE COURT OF FRANCE, AND FOR THE TREATY OF PEACE AND INDEPENDENCE WITH GREAT BRITAIN, &c. &c.

WRITTEN BY HIMSELF TO A LATE PERIOD,

AND CONTINUED TO THE TIME OF HIS DEATH

BY HIS GRANDSON,

WILLIAM TEMPLE FRANKLIN.

COMPRISING THE

PRIVATE CORRESPONDENCE

And Public Negociations of Dr. Franklin,

AND HIS SELECT

POLITICAL, PHILOSOPHICAL, AND MISCELLANEOUS WORKS.

PUBLISHED FROM THE ORIGINAL MSS.

SECOND EDITION.

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L I F E.

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BENJAMIN FRANKLIN.

PART IV.

After a very pleasant passage of about six weeks, Dr. Franklin arrived at the Capes of Delaware, was landed at Chester, and thence proceeded by land to Philadelphia, where every mark of respect, attachment, and veneration, was shown him by his fellow-citizens; and the very day after his arrival he was elected by the legislature of Pennsylvania, a delegate to congress. In short, his public services met with the most flattering rewards that a patriot could possibly desire.

Shortly after his arrival, he thus notices the then state of the colonies, in a letter of May 16, 1775, to a friend in London.

"You will have heard, before this reaches you,

of a march stolen by the British troops into the country by night, and of their *expedition* back again. They retreated twenty miles in six hours.'

"The governor of Massachusetts had called the assembly to propose Lord North's pacific plan; but before the time of their meeting, began cutting of throats: you know it was said he carried the *sword* in one hand, and the *olive branch* in the other; and it seems he chose to give them a taste of the *sword* first. He is doubling his fortifications at Boston, and hopes to secure his troops till succor arrives. The place, indeed, is naturally so defensible, that I think them in no danger.

"All America is exasperated by his conduct, and more firmly united than ever. The breach between the two countries is grown wider, and in danger of becoming irreparable."

And to the same friend he wrote some weeks after:

"The congress met at a time when all minds were so exasperated by the perfidy of General Gage, and his attack on the country people, that propositions for attempting an accommodation were not much relished; and it has been with difficulty that we have carried in that assembly, another humble petition to the crown, to give Britain *one more chance*, one opportunity more of recovering the friendship of the colonies; which however I

[1] The affair of Lexington.

think she has not sense enough to embrace, so I conclude she has lost them for ever."[1]

[1] Never was a prediction more completely verified. The following is a copy of the petition referred to by Dr. Franklin, and to which an answer was refused to be given.

TO THE KING'S MOST EXCELLENT MAJESTY.

MOST GRACIOUS SOVEREIGN,

We your Majesty's faithful subjects of the colonies of New Hampshire, Massachusetts Bay, Rhode Island, and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, the counties of Newcastle, Kent, and Sussex on Delaware, Maryland, Virginia, North Carolina, and South Carolina, in behalf of ourselves, and the inhabitants of these colonies, who have deputed us to represent them in general congress, entreat your Majesty's gracious attention to this our humble petition.

The union between our mother-country and these colonies, and the energy of mild and just government produced benefits so remarkably important, and afforded such an assurance of their permanency and increase, that the wonder and envy of other nations were excited, while they beheld Great Britain rising to a power the most extraordinary the world had ever known.

Her rivals, observing that there was no probability of this happy connexion being broken by civil dissensions, and apprehending its future effects, if left any longer undisturbed, resolved to prevent her receiving such continual and formidable accessions of wealth and strength, by checking the growth of those settlements from which they were to be derived.

In the prosecution of this attempt, events so unfavorable to the design took place, that every friend to the interest of Great Britain and these colonies, entertained pleasing and reasonable

In the same letter he adds, " My time was never more fully employed. In the morning at six, I am

expectations of seeing an additional force and exertion immediately given to the operations of the union hitherto experienced, by an enlargement of the dominions of the crown, and the removal of ancient and warlike enemies to a greater distance.

At the conclusion, therefore, of the late war, the most glorious and advantageous that ever had been carried on by British arms, your loyal colonists, having contributed to its success, by such repeated and strenuous exertions, as frequently procured them the distinguished approbation of your Majesty, of the late king, and of parliament, doubted not but that they should be permitted, with the rest of the empire, to share in the blessings of peace, and the emoluments of victory and conquest.

While these recent and honorable acknowledgments of their merits remained on record in the journals and acts of that august legislature, the parliament, undefaced by the imputation or even the suspicion of any offence, they were alarmed by a new system of statutes and regulations, adopted for the administration of the colonies, that filled their minds with the most painful fears and jealousies; and, to their inexpressible astonishment, perceived the danger of a foreign quarrel quickly succeeded by domestic danger, in their judgment, of a more dreadful kind.

Nor were these anxieties alleviated by any tendency in this system to promote the welfare of their mother-country. For though its effects were more immediately felt by them, yet its influence appeared to be injurious to the commerce and prosperity of Great Britain.

We shall decline the ungrateful task of describing the irksome variety of artifices, practised by many of your Majesty's ministers, the delusive pretences, fruitless terrors, and unavailing severities, that have from time to time been dealt out by them, in their attempts to execute this impolitic plan, or of tracing through a series of years past, the progress of the unhappy differences

at the committee of safety, appointed by the assembly to put the province in a state of defence; which

between Great Britain and these colonies, that have flowed from this fatal source.

Your Majesty's ministers, persevering in their measures, and proceeding to open hostilities for enforcing them, have compelled us to arm in our own defence, and have engaged us in a controversy so peculiarly abhorrent to the affections of your still faithful colonists, that when we consider whom we must oppose in this contest, and, if it continues, what may be the consequences, our own particular misfortunes are accounted by us only as parts of our distress.

Knowing to what violent resentments, and incurable animosities, civil discords are apt to exasperate and inflame the contending parties, we think ourselves required by indispensable obligations to Almighty God, to your Majesty, to our fellow-subjects, and to ourselves, immediately to use all the means in our power, not incompatible with our safety, for stopping the further effusion of blood, and for averting the impending calamities that threaten the British empire.

Thus called upon to address your Majesty on affairs of such moment to America, and probably to all your dominions, we are earnestly desirous of performing this office, with the utmost deference for your Majesty: and we therefore pray, that your Majesty's royal magnanimity and benevolence may make the most favorable construction of our expressions on so uncommon an occasion. Could we represent in their full force, the sentiments that agitate the minds of us your dutiful subjects, we are persuaded your Majesty would ascribe any seeming deviation from reverence in our language, and even in our conduct, not to any reprehensible intention, but to the impossibility of reconciling the usual appearances of respect with a just attention to our own preservation against those artful and cruel enemies,

committee holds till near nine, when I am at the congress, and that sits till after four in the after-

who abuse your royal confidence and authority, for the purpose of effecting our destruction.

Attached to your Majesty's person, family, and government, with all the devotion that principle and affection can inspire, connected with Great Britain by the strongest ties that can unite societies, and deploring every event that tends in any degree to weaken them, we solemnly assure your Majesty, that we not only most ardently desire the former harmony between her and these colonies may be restored, but that a concord may be established between them, upon so firm a basis as to perpetuate its blessings, uninterrupted by any future dissensions, to succeeding generations in both countries, and to transmit your Majesty's name to posterity, adorned with that signal and lasting glory, that has attended the memory of those illustrious personages, whose virtues and abilities have extricated states from dangerous convulsions, and, by securing happiness to others, have erected the most noble and durable monuments to their own fame.

We beg leave further to assure your Majesty, that notwithstanding the sufferings of your loyal colonists, during the course of this present controversy, our breasts retain too tender a regard for the kingdom from which we derive our origin, to request such a reconciliation as might in any manner be inconsistent with her dignity or her welfare. These, related as we are to her, honor and duty, as well as inclination, induce us to support and advance; and the apprehensions that now oppress our hearts with unspeakable grief being once removed, your Majesty will find your faithful subjects on this continent ready and willing at all times, as they have ever been, with their lives and fortunes to assert and maintain the rights and interests of your Majesty, and of our mother-country.

We therefore beseech your Majesty, that your royal authority and influence may be graciously interposed to procure us relief

noon. Both these bodies proceed with the greatest unanimity, and their meetings are well attended.

from our afflicting fears and jealousies, occasioned by the system before mentioned, and to settle peace through every part of your dominions, with all humility submitting to your Majesty's wise consideration, whether it may not be expedient for facilitating those important purposes, that your Majesty be pleased to direct some mode, by which the united applications of your faithful colonists to the throne, in pursuance of their common councils, may be improved into a happy and permanent reconciliation; and that, in the mean time, measures may be taken for preventing the further destruction of the lives of your Majesty's subjects; and that such statutes as more immediately distress any of your Majesty's colonies may be repealed.

For by such arrangements as your Majesty's wisdom can form for collecting the united sense of your American people, we are convinced your Majesty would receive such satisfactory proofs of the disposition of the colonists towards their sovereign and parent state, that the wished-for opportunity would soon be restored to them, of evincing the sincerity of their professions, by every testimony of devotion becoming the most dutiful subjects and the most affectionate colonists.

That your Majesty may enjoy a long and prosperous reign, and that your descendants may govern your dominions with honor to themselves and happiness to their subjects, is our sincere prayer. JOHN HANCOCK.

New Hampshire.	*Rhode Island.*
JOHN LANGDON,	STEPHEN HOPKINS,
THOMAS CUSHING.	SAMUEL WARD.
Massachusetts Bay.	*Connecticut.*
SAMUEL ADAMS,	ROGER SHERMAN,
JOHN ADAMS,	SILAS DEANE,
R. TREAT PAINE.	ELIPHALET DYER.

It will scarce be credited in Britain that men can be as diligent with us, from zeal for the public

New York,
PHIL. LIVINGSTON,
JAS. DUANE,
JOHN ALSOP,
FRANCIS LEWIS,
JOHN JAY,
R. LIVINGSTON, jun.
LEWIS MORRIS,
WILLIAM FLOYD,
HENRY WISNER.

New Jersey,
WM. LIVINGSTON,
JOHN DEHARTS,
RICHARD SMITH.

Pennsylvania,
BENJ. FRANKLIN,
JOHN DICKINSON,
GEORGE ROSS,
JAMES WILSON,
CHAS. HUMPHREYS,
EDWARD BIDDLE.

Delaware County,
CÆSAR RODNEY,
THO. M'KEAN,
GEO. READ.

Maryland,
MATT. TILGHMAN,
THO. JOHNSON, jun.
WM. PACA,
SAMUEL CHACE,
THOMAS STONE.

Virginia,
P. HENRY, jun.
R. HENRY LEE,
EDM. PENDLETON,
BENJ. HARRISON,
THOS. JEFFERSON.

North Carolina,
WILL. HOOPER,
JOSEPH HEWES.

South Carolina,
HENRY MIDDLETON,
THO. LYNCH,
CHRIST. GADSDEN,
J. RUTLEDGE,
EDW. RUTLEDGE.

Philadelphia, July 8, 1775.

good, as with you for thousands per annum. Such is the difference between uncorrupted new states, and corrupted old ones."

It was about this time that Dr. Franklin addressed that memorable and laconic epistle to his old friend and companion Mr. Strahan, (then king's printer, and member of the British parliament for Malmsbury,) of which a fac-simile is placed facing the title-page of his PRIVATE CORRESPONDENCE.

The following proposed *Introduction to a resolution of congress*, (not passed) drawn up by Dr. Franklin, is also fully expressive of his warm feelings and sentiments at that period.

"WHEREAS the British nation, through great corruption of manners and extreme dissipation and profusion, both private and public, have found all honest resources insufficient to supply their excessive luxury and prodigality, and thereby have been driven to the practice of every injustice which avarice could dictate or rapacity execute: and whereas, not satisfied with the immense plunder of the East, obtained by sacrificing millions of the human species, they have lately turned their eyes to the West, and grudging us the peaceable enjoyment of the fruits of our hard labor and virtuous industry, have for years past been endeavoring to extort the same from us, under color of laws regulating trade, and have thereby actually succeeded in draining us of large sums to our great loss and detriment. And whereas, impatient to seize the whole, they have at length proceeded to open robbery, declaring by a solemn act of parliament, that all our estates are theirs, and all our property found upon the sea divisible

among such of their armed plunderers as shall take the same; and have even dared in the same act to declare, that all the spoilings, thefts, burnings of houses and towns, and murders of innocent people, perpetrated by their wicked and inhuman corsairs on our coasts, previous to any war declared against us, were just actions, and shall be so deemed, contrary to several of the commandments of God, (which by this act, they presume to *repeal*) and to all the principles of right, and all the ideas of justice, entertained heretofore by every other nation, savage as well a civilised; thereby manifesting themselves to be *hostes humani generis*. And whereas it is not possible for the people of America to subsist under such continual ravages without making some reprisals,

"Therefore, Resolved,"——

* * * * * * * *

Affairs having now assumed a most serious aspect, it was necessary for the Americans to adopt proper and efficacious means of resistance. They possessed little or no coin, and even arms and ammunition were wanting. In this situation, the adoption of paper money became indispensably necessary, and Dr. Franklin was one of the first to demonstrate the necessity and propriety of that measure. Without this succedaneum, it would have been impossible to have made any other than a very feeble and a short resistance against Great Britain.

The first emission, to the amount of three millions of dollars, accordingly took place on the 25th of July, 1775, under a promise of exchanging the notes against gold or silver in the space of three years;

and towards the end of 1776, more than twenty-one millions additional were put in circulation. The congress at length began to be uneasy, not knowing how it would be possible to redeem so large a sum; and some of its members having waited upon Dr. Franklin, in order to consult him upon this occasion, he spoke to them as follows: "Do not make yourselves unhappy; continue to issue your paper money as long as it will pay for the paper, ink, and printing, and we shall be enabled by its means to liquidate all the expenses of the war."

In October, 1775, Dr. Franklin was appointed by congress jointly with his colleagues Colonel Harrison and Mr. Lynch, a committee to visit the American camp at Cambridge, and in conjunction with the commander in chief, (General Washington,) to endeavor to convince the troops, whose term of enlistment was about to expire, of the necessity of their continuing in the field, and persevering in the cause of their country.

He was afterwards sent on a mission to Canada, to endeavor to unite that country to the common cause of liberty. But the Canadians could not be prevailed upon to oppose the measures of the British government. The ill success of this negociation was supposed to be occasioned in a great degree by religious animosities, which subsisted between the Canadians and their neighbors; some of whom had at different times burnt their places of worship.

On his return from Canada, Dr. Franklin, under

the direction of congress, wrote to M. Dumas, the American agent in Holland, urging him to sound the several governments of Europe, by means of their ambassadors at the Hague, as to any assistance they might be disposed to afford America in case of her eventually breaking off all connexion with Britain, and declaring herself an *independent nation.*[1]

This decisive measure was now generally agitated throughout the colonies; though it is certain that at the beginning of the differences, the bulk of the people acted from no fixed and determined principle whatever, and had not even an idea of independence; for all the addresses from the different colonies were filled with professions of loyalty towards their sovereign, and breathed the most ardent wishes for an immediate reconciliation.

The congress, deeming it advisable to know the general opinion on so important a point, took an opportunity of feeling the pulse of the people, and of preparing them for the declaration of independence, by a circular manifesto to the several colonies, stating the causes which rendered it necessary that all authority under the crown should be totally suppressed, and all the powers of government taken respectively into their own hands. In support of this position they instanced the *prohibitory act*, by which they were excluded from the protection of

[1] See Dr. Franklin's PRIVATE CORRESPONDENCE, PART II.

the crown; the rejection of their petitions for redress of grievances and a reconciliation; and the intended exertion of all the force of Great Britain, aided by foreign mercenaries for their destruction.

At length this important question was discussed in congress, and at a time when the fleets and armies which were sent to enforce obedience, were truly formidable. The debate continued for several days, and the scheme encountered great opposition from several distinguished orators. Eventually, however, notwithstanding all the disadvantages the country then labored under, from an army ignorant of discipline, and entirely unskilled in the art of war;—without a fleet—without allies—and with nothing but the love of liberty to support them; the colonies, by their representatives in congress, determined to separate from a country, which had added injury to insult, and disregarded all the pacific overtures they had made to it. On this question Dr. Franklin was decidedly in favor of the measure proposed, and used all his great influence in bringing others over to his opinion.

The public mind, which had already been drawn that way by the manifesto of congress, was now confirmed in its decision, by the appearance of Paine's celebrated pamphlet "*Common Sense;*" in which there is good reason to believe, that Dr. Franklin had no inconsiderable share,—at least in furnishing materials for that work.

It was on the 4th day of July, 1776, that the thir-

teen English colonies in America declared themselves free and independent states, and by an act of congress abjured all allegiance to the British crown, and renounced all political connexion with Great Britain.

This public Record has been much admired for its composition. It is reputed to have been definitively drawn up by that eminent patriot, philosopher, and friend of mankind, the Hon. Thomas Jefferson, then one of the representatives in congress for Virginia: as a document of considerable interest and curiosity, and as a monument of one of the most important political events in which Dr. Franklin was concerned, and to which he so largely contributed, it is here annexed.[1]

[1] A DECLARATION by the Representatives of the UNITED STATES of AMERICA in Congress assembled.

WHEN, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident: that all men are created equal; that they are endowed, by their Creator, with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and

In the beginning of this year, 1776, an act of the British parliament passed, to prohibit and restrain,

to institute a new government, laying its foundation on such principles, and organising its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate, that governments long established, should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies; and such is now the necessity which constrains them to alter their former systems of government. The history of the present king of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world.

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature; a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

on the one hand, the trade and intercourse of the *refractory colonies* respectively, during their revolt;

He has dissolved representatives' houses repeatedly, for opposing, with manly firmness, his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise; the state remaining in the mean time, exposed to all the dangers of invasion from without, and convulsions within.

He has endeavored to prevent the population of these states; for that purpose obstructing the laws for naturalization of foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance.

He has kept among us, in times of peace, standing armies, without the consent of our legislatures.

He has affected to render the military independent of, and superior to the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his assent to their acts of pretended legislation:

For quartering large bodies of armed troops among us:

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states:

For cutting off our trade with all parts of the world:

For imposing taxes on us without our consent:

and on the other hand, to enable persons appointed by the British king to grant *pardons*, and declare

For depriving us, in many cases, of the benefits of trial by jury:

For transporting us beyond seas to be tried for pretended offences:

For abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies:

For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments:

For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here, by declaring us out of his protection, and waging war against us.

He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny, already begun with circumstances of cruelty and perfidy, scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilised nation.

He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

In every stage of these oppressions we have petitioned for re-

any particular district in the *king's peace, &c.* Lord Howe (who had been previously appointed com-

dress in the most humble terms: our repeated petitions have been answered only by repeated injury. A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be ruler of a free people.

Nor have we been wanting in attentions to our British brethren. We have warned them, from time to time, of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them, by the ties of our common kindred, to disavow these usurpations, which would inevitably interrupt our connexions and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must therefore acquiesce in the necessity, which denounces our separation, and hold them, as we hold the rest of mankind, enemies in war, in peace friends!

We, therefore, the representatives of the UNITED STATES of AMERICA, in GENERAL CONGRESS assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name and by authority of the good people of these colonies, solemnly publish and declare, That these United Colonies are, and of right ought to be, FREE and INDEPENDENT STATES; that they are absolved from all allegiance to the British crown, and that all political connexion between them and the state of Great Britain is, and ought to be, totally dissolved; and that, as FREE and INDEPENDENT STATES, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which INDEPENDENT STATES may of right do. And for the support of this declaration, with a firm reliance on the protection of DIVINE PROVIDENCE, we mutually pledge to each other our lives, our fortunes, and our sacred honor!

mander of the British fleet in North America) was, on May 3, declared *joint commissioner* with his bro-

The foregoing declaration was, by order of congress, engrossed, and signed by the following members.

JOHN HANCOCK.

New Hampshire.
JOSIAH BARTLETT,
WILLIAM WHIPPLE,
MATTHEW THORNTON.

Massachusetts Bay.
SAMUEL ADAMS,
JOHN ADAMS,
ROBERT TREAT PAINE,
ELBRIDGE GERRY.

Rhode Island.
STEPHEN HOPKINS,
WILLIAM ELLERY.

Connecticut.
ROGER SHERMAN,
SAMUEL HUNTINGTON,
WILLIAM WILLIAMS,
OLIVER WOLCOTT.

New York.
WILLIAM FLOYD,
PHILIP LIVINGSTON,
FRANCIS LEWIS,
LEWIS MORRIS.

New Jersey.
RICHARD STOCKTON,
JOHN WITHERSPOON,
FRANCIS HOPKINSON,
JOHN HART,
ABRAHAM CLARK.

Pennsylvania.
BENJAMIN FRANKLIN,
ROBERT MORRIS,
BENJAMIN RUSH,
JOHN MORTON,
GEORGE CLYMER,
JAMES SMITH,
GEORGE TAYLOR,
JAMES WILSON,
GEORGE ROSS.

Delaware.
CÆSAR RODNEY,
GEORGE READ.

Maryland.
SAMUEL CHASE,
WILLIAM PACA,
THOMAS STONE,

ther General Howe, for the latter purposes of the act. He sailed May 12, and while off the coast of Massachusetts, prepared a declaration, announcing this commission, and accompanied it with circular letters.

Lord Howe took occasion to publish everywhere, that he had proposals to make on the part of Great Britain tending to *peace* and *reconciliation*, and that he was ready to communicate them. He, at the same time, permitted the American ge-

CHARLES CARROLL, of Carrollton.
JOSEPH HEWES,
JOHN PENN.

Virginia.
GEORGE WYTHE,
RICHARD HENRY LEE,
THOMAS JEFFERSON,
BENJAMIN HARRISON,
THOMAS NELSON, jun.
FRAN. LIGHTFOOT LEE,
CARTER BRAXTON.

North Carolina.
WILLIAM HOOPER,

South Carolina.
EDWARD RUTLEDGE,
THO. HEYWARD, jun.
THO. LYNCH, jun.
ARTHUR MIDDLETON

Georgia.
BUTTON GWINNETT,
LYMAN HALL,
GEORGE WALTON.

Resolved, That copies of this declaration be sent to the several assemblies, conventions, and committees, or councils of safety, and to the several commanding officers of the continental troops; that it be proclaimed in each of the United States, and at the head of the army.

neral, Sullivan, to go on his parole, and give this intelligence to the congress. He hoped, by this means, to create divisions in that body, and throughout the country. The congress were of opinion the admiral could have no terms to offer, but such as the act of parliament empowered him to offer, which were, PARDON *upon submission ;* yet, as the people might imagine more, and be uneasy if he was not heard, they appointed three of their body, Messrs. Franklin, Adams, and Rutledge, to meet him. His lordship chose Staten Island, which was in possession of the English troops, for the place of conference. The committee being arrived at Amboy, a small town in New Jersey, opposite to the island, and in possession of the Americans, the admiral sent over his barge to receive and bring them to him, and to leave one of his principal officers as a hostage for their safe return. The committee of congress had not desired a hostage, and they therefore took the officer back with them. The admiral met them at their landing, and conducted them through his guards to a convenient room for conference. He was surprised at their confidence, in bringing back his hostage, and more at the little estimation in which they appeared to hold his offers of pardon, and of inquiring into grievance. He seemed to have flattered himself, that the congress, humbled by their late losses, would have been submissive and compliant. He found himself mistaken. The

committee told him firmly, that if he had nothing else to propose, he was come too late: the humble petitions of congress had been rejected with contempt; independence was now declared, and the new government formed. And when in cajoling them, he expressed his "affection for America, his concern in viewing her dangerous situation, and said that to see her fall would give him the same pain as to see a brother fall;" they answered, that it was kind; but America would endeavor to spare him that pain.

They returned and reported the conference to congress, who published it; and the people were satisfied that they had no safety to expect but in arms.

The following is the correspondence between Lord Howe and Dr. Franklin on this occasion, and the joint report of the American commissioners on the result of their mission.

Prefatory Note, by Dr. Franklin.

[These letters were published in London, to show the insolence of the *insurgents*, in refusing the offer of pardon upon submission made to them by the British plenipotentiaries. They undoubtedly deserve the attention of the public for another reason, the proof they afford that the commerce of America is deemed by the ministry themselves of such vast importance, as to justify the horrid and expensive war they are now waging, to maintain the monopoly of it; that being the principal cause stated by Lord Howe; though their pensioned writers and speakers in parliament have af-

fected to treat that commerce as a trifle. And they demonstrate further, of how much importance it is to the rest of Europe, that the continuance of that monopoly should be obstructed, and the general freedom of trade, now offered by the Americans, prevented; since by no other means the enormous growing power of Britain both by sea and land, so formidable to their neighbors, and which must follow her success, can possibly be prevented.]

To Dr. Franklin.

Eagle, June 20, 1776.

I cannot, my worthy friend, permit the letters and parcels which I have sent in the state I received them, to be landed, without adding a word upon the subject of the injurious extremities in which our unhappy differences have engaged us.

You will learn the nature of my mission, from the official dispatches which I have recommended to be forwarded by the same conveyance. Retaining all the earnestness I ever expressed to see our differences accommodated, I shall conceive, if I meet with the disposition in the colonies I was once taught to expect, the most flattering hopes of proving serviceable in the objects of the king's paternal solicitude, by promoting the establishment of lasting peace and union with the colonies. But if the deep-rooted prejudices of America, and the necessity for preventing her trade from passing into foreign channels, must keep us still a divided people; I shall, from every private as well as pub-

lic motive, most heartily lament, that this is not the moment wherein those great objects of my ambition are to be attained; and that I am to be longer deprived of an opportunity to assure you personally of the regard with which I am your sincere and faithful humble servant, HOWE.

P. S. I was disappointed of the opportunity I expected for sending this letter at the time it was dated, and have ever since been prevented by calms and contrary winds from getting here, to inform General Howe of the commission with which I have the satisfaction to be charged, and of his being joined in it.

Off Sandy Hook, 12th of July.

To LORD HOWE.

MY LORD, *Philadelphia, July* 20, 1776.

I received safe the letters your lordship so kindly forwarded to me, and beg you to accept my thanks.

The official dispatches to which you refer me, contain nothing more than what we had seen in the act of parliament, viz. offers of pardon upon submission, which I am sorry to find, as it must give your lordship pain to be sent so far on so hopeless a business.

Directing pardons to be offered the colonies, who are the very parties injured, expresses indeed that opinion of our ignorance, baseness and insen-

sibility, which your uninformed and proud nation has long been pleased to entertain of us; but it can have no other effect than that of increasing our resentment. It is impossible we should think of submission to a government that has with the most wanton barbarity and cruelty burnt our defenceless towns in the midst of winter, excited the savages to massacre our farmers, and our slaves to murder their masters, and is even now bringing foreign mercenaries to deluge our settlements with blood. These atrocious injuries have extinguished every remaining spark of affection for that parent country we once held so dear: but were it possible for *us* to forget and forgive them, it is not possible for *you* (I mean the British nation) to forgive the people you have so heavily injured; you can never confide again in those as fellow-subjects, and permit them to enjoy equal freedom, to whom you know you have given such just cause of lasting enmity. And this must impel you, were we again under your government, to endeavor the breaking our spirit by the severest tyranny, and obstructing, by every means in your power, our growing strength and prosperity.

But your lordship mentions "the king's paternal solicitude for promoting the establishment of lasting *peace* and union with the colonies." If by peace is here meant a peace to be entered into between Britain and America, as distinct states now at war, and his majesty has given your lord-

ship powers to treat with us of such a peace, I may venture to say, though without authority, that I think a treaty for that purpose not yet quite impracticable, before we enter into foreign alliances. But I am persuaded you have no such powers. Your nation, though by punishing those American governors who have created and fomented the discord, rebuilding our burnt towns, and repairing as far as possible the mischiefs done us, might yet recover a great share of our regard, and the greatest part of our growing commerce, with all the advantage of that additional strength to be derived from a friendship with us; but I know too well her abounding pride and deficient wisdom, to believe she will ever take such salutary measures. Her fondness for conquest as a warlike nation, her lust of dominion as an ambitious one, and her thirst for a gainful monopoly as a commercial one, (none of them legitimate causes of war) will all join to hide from her eyes every view of her true interests, and continually goad her on in those ruinous distant expeditions, so destructive both of lives and treasure, that must prove as pernicious to her in the end as the croisades formerly were to most of the nations of Europe.

I have not the vanity, my lord, to think of intimidating by thus predicting the effects of this war; for I know it will in England have the fate of all my former predictions, not to be believed till the event shall verify it.

Long did I endeavor, with unfeigned and unwearied zeal, to preserve from breaking that fine and noble China vase, the British empire: for I knew that being once broken, the separate parts could not retain even their share of the strength or value that existed in the whole, and that a perfect reunion of those parts could scarce ever be hoped for. Your lordship may possibly remember the tears of joy that wet my cheek, when, at your good sister's in London, you once gave me expectations that a reconciliation might soon take place. I had the misfortune to find those expectations disappointed, and to be treated as the cause of the mischief I was laboring to prevent. My consolation under that groundless and malevolent treatment was, that I retained the friendship of many wise and good men in that country, and among the rest, some share in the regard of Lord Howe.

The well-founded esteem, and permit me to say, affection, which I shall always have for your lordship, makes it painful to me to see you engaged in conducting a war, the great ground of which, as expressed in your letter, is "the necessity of preventing the American trade from passing into foreign channels." To me it seems that neither the obtaining or retaining of any trade, how valuable soever, is an object for which men may justly spill each other's blood; that the true and sure means of extending and securing commerce, is the goodness and cheapness of commodities; and that the

profit of no trade can ever be equal to the expense of compelling it, and of holding it by fleets and armies.

I consider this war against us, therefore, as both unjust and unwise; and I am persuaded that cool dispassionate posterity will condemn to infamy those who advised it; and that even success will not save from some degree of dishonor, those who voluntarily engaged to conduct it. I know your great motive in coming hither was the hope of being instrumental in a reconciliation; and I believe when you find *that* impossible on any terms given you to propose, you will relinquish so odious a command, and return to a more honorable private station.

With the greatest and most sincere respect, I have the honor to be, my Lord, your lordship's most obedient humble servant,

B. FRANKLIN.

To DR. FRANKLIN.

Eagle, off Staten Island, Aug. the 16th, 1776.

I am sorry, my worthy friend, that it is only on the assurances you give me of my having still preserved a place in your esteem, that I can now found a pretension to trouble you with a reply to your favor of the 21st past.

I can have no difficulty to acknowledge, that the powers I am invested with were never calculated to negociate a reunion with America, under any

other description than as subject to the crown of Great Britain. But I do esteem those powers competent, not only to confer and negociate with any gentlemen of influence in the colonies upon the terms, but also to effect a lasting peace and reunion between the two countries, were the temper of the colonies such as professed in the last petition of the congress to the king. America would have judged in the discussion how far the means were adequate to the end, both for engaging her confidence and proving our integrity. Nor did I think it necessary to say more in my public declaration; not conceiving it could be understood to refer to peace, on any other conditions but those of mutual interest to both countries, which could alone render it permanent.

But as I perceive from the tenor of your letter, how little I am to reckon upon the advantage of your assistance for restoring that permanent union which has long been the object of my endeavors, and which I flattered myself when I left England, would be in the compass of my power; I will only add, that as the dishonor to which you deem me exposed by my military situation in this country, has effected no change in your sentiments of personal regard towards me, so shall no difference in political points alter my desire of proving how much I am your sincere and obedient humble servant, HOWE.

In Congress, Sept. 2nd, 1776.

Congress being informed that General Sullivan, who was taken prisoner on Long Island, was come to Philadelphia with a message from Lord Howe,

Ordered that he be admitted, and heard before congress.

General Sullivan being admitted, delivered the verbal message he had in charge from Lord Howe, which he was desired to reduce to writing, and withdrew.

September 3rd.

General Sullivan having reduced to writing the verbal message from Lord Howe, the same was laid before congress and read as follows.

The following is the purport of the message sent from Lord Howe to congress by General Sullivan.

That though he could not at present treat with congress as such, yet he was very desirous of having a conference with some of the members, whom he would consider for the present only as private gentlemen, and meet them himself as such, at such place as they should appoint.

That he, in conjunction with General Howe, had full powers to compromise the disputes between Great Britain and America on terms advantageous to both, the obtaining of which delayed him near two months in England, and prevented his arrival at this place before the declaration of independence took place.

That he wished a compact might be settled at this time, when no decisive blow was struck, and neither party could say they were compelled to enter into such agreement.

That in case congress were disposed to treat, many things which they had not as yet asked, might and ought to be granted to them; and that if, upon the conference, they found any probable ground of an accommodation, the authority of

congress must be afterwards acknowledged, otherwise the compact could not be complete.

September 5th.

Resolved, that General Sullivan be requested to inform Lord Howe, that this congress being the representatives of the Free and Independent States of America, cannot, with propriety, send any of its members to confer with his lordship in their private characters, but that ever desirous of establishing peace on reasonable terms, they will send a committee of their body to know whether he has any authority to treat with persons authorised by congress for that purpose on behalf of America, and what that authority is, and to hear such propositions as he shall think fit to make respecting the same.

Ordered, that a copy of the foregoing resolution be delivered to General Sullivan, and that he be directed immediately to repair to Lord Howe.

September 6th.

Resolved, that the committee "to be sent to know whether Lord Howe has any authority to treat with persons authorised by congress for that purpose, in behalf of America, and what that authority is, and to hear such propositions as he shall think fit to make respecting the same," consist of three.

The members chosen, Dr. Franklin, Mr. Adams, and Mr. Rutledge.

Eagle, off Bedlow's Island, Sept. 10, 1776.

Lord Howe presents his compliments to Dr. Franklin, and according to the tenor of his favor of the 8th, will attend to have the pleasure of meeting him and Messrs. Adams and Rutledge to-morrow morning, at the house on Staten Island

opposite to Amboy, as early as the few conveniences for travelling by land on Staten Island will admit. Lord Howe, upon his arrival at the place appointed, will send a boat (if he can procure it in time) with a flag of truce over to Amboy; and requests the Doctor and the other gentlemen will postpone their intended favor of passing over to meet him, until they are informed as above of his arrival to attend them there.

In case the weather should prove unfavorable for Lord Howe to pass in his boat to Staten Island to-morrow, as from the present appearance there is some reason to suspect, he will take the next earliest opportunity that offers for that purpose. In this intention he may be further retarded, having been an invalid lately; but will certainly give the most timely notice of that inability. He however flatters himself he shall not have occasion to make further excuses on that account.

September 13th.

The committee appointed to confer with Lord Howe having returned, made a verbal report.

Ordered, that they make a report in writing, as soon as they conveniently can.

September 17th.

The committee appointed to confer with Lord Howe, agreeable to order, brought in a report in writing, which was read as follows:

In obedience to the orders of congress, we have had a meeting with Lord Howe: it was on Wednesday last, upon

Staten Island, opposite to Amboy, where his lordship received and entertained us with the utmost politeness.

His lordship opened the conversation by acquainting us, that though he could not treat with us as a committee of congress, yet as his powers enabled him to confer and consult with any private gentlemen of influence in the colonies, on the means of restoring peace between the two countries, he was glad of this opportunity of conferring with us on that subject, if we thought ourselves at liberty to enter into a conference with him in that character.

We observed to his lordship, that as our business was to hear, he might consider us in what light he pleased, and communicate to us any proposition he might be authorised to make for the purpose mentioned; but that we could consider ourselves in no other character than that in which we were placed by order of congress.

His lordship then entered into a discourse of considerable length, which contained no explicit proposition of peace except one, viz. that the colonies should return to their allegiance and obedience to the government of Great Britain. The rest consisted principally of assurances that there was an exceeding good disposition in the king and his ministers to make that government easy to us, with intimations that in case of our submission, they would cause the offensive acts of parliament to be revised, and the instructions to governors to be reconsidered; that so, if any just causes of complaint were found in the acts, or any errors in government were perceived to have crept into the instructions, they might be amended or withdrawn.

We gave it as our opinion to his lordship, that a return to the domination of Great Britain was not now to be expected. We mentioned the repeated humble petitions of the colonies to the king and parliament, which had been treated

with contempt, and answered only by additional injuries; the unexampled patience we had shown under their tyrannical government; and that it was not till the last act of parliament, which denounced war against us, and put us out of the king's protection, that we declared our independence. That this declaration had been called for by the people of the colonies in general; that every colony had approved of it when made; and all now considered themselves as independent states, and were settling or had settled their governments accordingly; so that it was not in the power of congress to agree for them, that they should return to their former dependent state. That there was no doubt of their inclination to peace, and their willingness to enter into a treaty with Britain that might be advantageous to both countries. That though his lordship had at present no power to treat with them as independent states, he might, if there was the same good disposition in Britain, much sooner obtain fresh powers from thence, than powers could be obtained by congress from the several colonies to consent to a submission.

His lordship then saying that he was sorry to find that no accommodation was likely to take place, put an end to the conference.

Upon the whole, it did not appear to your committee that his lordship's commission contained any authority of importance than what is expressed in the act of parliament, viz. that of granting pardons with such exceptions as the commissioners shall think proper to make, and of declaring America or any part of it to be in the king's peace, upon submission: for as to the power of inquiring into the state of America, which his lordship mentioned to us, and of conferring and consulting with any persons the commissioners might think proper, and representing the result of such conversation to the ministry, who, provided the colonies would subject them-

selves, might, after all, or might not, at their pleasure, make any alterations in the former instructions to governors, or propose in parliament any amendment of the acts complained of, we apprehended any expectation from the effect of such a power would have been too uncertain and precarious to be relied on by America, had she still continued in her state of dependance.

Ordered that the above be published.

JOHN HANCOCK, President.

Attest.

CHARLES THOMPSON, Secretary.

Congress, in their manifesto, had recommended to those colonies whose government was not already sufficient, to proceed to the institution of such a form as was necessary to the preservation of internal peace, and suited to the then exigency of their affairs, for the defence of their lives, liberties, and properties, against the hostile invasions and cruel depredations of their enemies. In conformity to this recommendation, a convention was assembled at Philadelphia, in July, 1776, for the purpose of settling a new form of government for the then *State* of Pennsylvania. Dr. Franklin was chosen president of this convention. The constitution formed and established at that period for Pennsylvania was the result of the deliberations of that assembly, and may be considered as a digest of Dr. Franklin's principles of government. The single legislature and the plural executive appear to have been his favorite tenets.

The virtuous and unfortunate Duke de la Rochefoucault, in his eulogium of Dr. Franklin in 1790, thus remarks on this system of government.

"Franklin alone, disengaging the political machine from those multiplied movements and *admired* counterpoises that rendered it so complicated, proposed the reducing it to the simplicity of a *single legislative body*. This grand idea startled the legislators of Pennsylvania; but the philosopher removed the fears of a considerable number, and at length determined the whole to adopt a principle which the national assembly has made the basis of the French constitution."

The same distinguished person adds in a note on this passage, of his printed oration,—

"The usual progress of the human mind leads man from the complex to the simple. Observe the works of the first mechanics overloaded with numerous pieces, some of which embarrass, and others diminish their effect. It has been the same with legislators, both speculative and practical: struck with an abuse, they have endeavored to correct it by institutions that have been productive of still greater abuses. In political economy the unity of the legislative body is the *maximum* of simplicity. Franklin was the first who dared to put this idea in practice: the respect the Pennsylvanians entertained for him induced them to adopt it; but the other states were terrified at it, and even the constitution of Pennsylvania has since

been altered. In Europe this opinion has been more successful. When I had the honor to present to Franklin the translations of the constitutions of America, the minds of the people on this side the Atlantic were scarcely better disposed toward it than those on the other side; and if we except Dr. Price in England, and Turgot and Condorcet in France, no man who applied himself to politics agreed in opinion with the American philosopher. I will venture to assert that I was of the small number of those who were struck with the beauty of the simple plan he traced, and that I saw no reason to change my opinion when the National Assembly, led by the voice of those deep-thinking and eloquent orators who discussed that important question, established it as a principle of the French constitution, that legislation should be confided to a single body of representatives. It will not perhaps be deemed unpardonable to have once mentioned myself, at a time when the honor I have of holding a public character makes it my duty to give an account of my sentiments to my fellow-citizens. France will not relapse into a more complex system, but will assuredly acquire the glory of maintaining that which she has established, and give it a degree of perfection which, by rendering a great nation happy, will attract the eyes and the applauses of all Europe, and of the whole world."—Vain prediction!

During Dr. Franklin's presidency of the convention he drew up the following protest against the equality of voting in congress; but (as he acknowledged at the time) he was dissuaded from endeavoring to carry it through, from prudential considerations respecting the necessary union at that critical period, of all the states in confederation.

PROTEST.

"We, the representatives of the state of Pennsylvania in full convention met, having duly considered the plan of confederation formed in congress, and submitted to the several states, for their assent or dissent, do hereby declare the dissent of this state to the same, for the following reasons, viz.

"1st. Because the foundation of every confederation intended to be lasting, ought to be laid in justice and equity, no unfair advantage being given to, or taken by, any of the contracting parties.

"2nd. Because it is, in the nature of things, just and equal, that the respective states of the confederacy should be represented in congress, and have votes there in proportion to their importance, arising from their numbers of people, and the share and degree of strength they afford to the united body. And therefore the XVIIth article,[1] which

[1] This since forms part of the *5th article* of the confederation as agreed to by all the states, except Maryland, on the 9th of July, 1778; and finally ratified by the whole union, on the 1st March, 1781, (the state of Maryland acceding thereto.)

gives one vote to the smallest state and no more to the largest, when the difference between them may be as ten to one, or greater, is unjust, and injurious to the larger states, since all of them are by other articles obliged to contribute in proportion to their respective abilities.

" 3rd. Because the practice hitherto in congress, of allowing only one vote to each colony, was originally taken up under a conviction of its impropriety and injustice, was intended to be in some future time corrected, and was then and since submitted to only as a temporary expedient, to be used in ordinary business, until the means of rectifying the same could be obtained: this clearly appears by the resolve of congress, dated Sept. 6, 1774, being the day of its meeting, which resolve is in these words, 'That in determining questions in this congress, each colony or province shall have one vote, the congress not being possessed of, or at present able to procure proper materials for ascertaining the importance of each colony.' That importance has since been supposed to be best found in the numbers of the people; for the congress not only by their resolution when the issuing of bills was agreed to, but by this present confederation, have judged that the contribution towards sinking those bills and to the common expense should be in proportion to such numbers when they could be taken, which has not yet been done; and though the larger colonies submitted

to this temporary inequality of representation, expecting it would much sooner have been rectified, it never was understood that by the resolution above cited, a power was given to the smaller states to fix that inequality upon them for ever, as those small states have now attempted to do by combining to vote for this 17th article, and thereby to deprive the larger states of their just right, acknowledged in the same resolution. Smaller states having given us in advance, this striking instance of the injustice they are capable of, and of the possible effects of their combination, is of itself a sufficient reason for our determining not to put ourselves in their power by agreeing to this article, as it stands connected with those concerning the quotas of each state, since being a majority of states in congress, they may by the same means, at any time, deprive the larger states of any share in the disposition of our strength and wealth, and the management of our common interests.

" But as the smaller colonies may object, that if the larger are allowed a number of votes in proportion to their importance, the smaller will then be equally in danger of being overpowered and governed by them. We, not having the least desire of any influence or power that is unjust or unequal or disproportioned to the burthens we are to bear, do hereby offer our consent to the said 17th article as it now stands, provided the quotas to be contributed by the larger provinces

shall be reduced to an equality with the smallest, in which case all, by contributing equally, will have a right to equal votes. Not that we mean thereby to avoid granting additional aids, when the exigence of our common interests shall appear to us to make them proper and necessary; but, leaving to the congress, with regard to such additional aids, the right of making requisitions as enjoyed by our late kings, we would reserve to ourselves the right of judging of the propriety of these requisitions, or of refusing or complying with them in part, or in the whole, as to us shall seem best, and of modifying our grants with such conditions as we shall judge necessary, in like manner as our assemblies might formerly do with regard to requisitions from the crown: for it appears to us just and reasonable, that we should retain the disposition of what strength we have, above the equal proportion contributed as aforesaid by our state to the common service, with every power necessary to apply the same, as occasions may arise, for our particular security; this we mean to do from this time forward, unless we are allowed votes in congress proportioned to the importance of our state, as was originally intended.

"Signed by order of the Convention."

Though this protest was not acted upon, for the reasons previously assigned by Dr. Franklin, it serves however to show his opinion and arguments

in support of a very important question of American legislature, and is an additional feature in his political mind.

American paper money beginning about this time to fall into disrepute, and immediate supplies of arms and ammunition for the use of the army being absolutely necessary, congress turned their attention towards Europe, and to France in particular, for the purpose of obtaining aids in money and military stores, as the only means of resisting the power of Great Britain, and preserving their newly acquired independence.

In the latter end of 1776, a commission was appointed for this object; and Dr. Franklin, though then in his 71st year, was considered, from his talents as a statesman, and reputation as a philosopher, the most suitable person to effect the desired end, and was consequently nominated commissioner plenipotentiary to the court of France, in conjunction with Silas Deane and Arthur Lee, Esquires: the former had already been sent to Europe, for the purpose of secretly obtaining and forwarding warlike stores, &c., and the other had been employed by congress as a private and confidential agent in England.

Previous to Dr. Franklin's departure, he conceived it would be advisable, on many accounts, to be the bearer of propositions for peace with

Great Britain; and with this view he drew up, and submitted to the secret committee of congress, the following paper.

Sketch of Propositions for a Peace, 1776.

There shall be a perpetual peace between Great Britain and the United States of America, on the following conditions.

Great Britain shall renounce and disclaim all pretence of right or authority to govern in any of the United States of America.

To prevent those occasions of misunderstanding which are apt to arise, where the territories of different powers border on each other, through the bad conduct of frontier inhabitants on both sides, Britain shall cede to the United States the provinces or colonies of Quebec, St. John's, Nova Scotia, Bermuda, East and West Florida, and the Bahama Islands, with all their adjoining and intermediate territories now claimed by her.

In return for this cession, the United States shall pay to Great Britain the sum of sterling, in annual payments, that is to say, ... per annum, for and during the term of years.

And shall moreover grant a free trade to all British subjects throughout the United States and the ceded colonies, and shall guarantee to Great Britain the possession of her islands in the West Indies.

Motives for proposing a Peace at this time.

1. The having such propositions in charge, will by the law of nations be some protection to the commissioners or ambassadors, if they should be taken.

2. As the news of our declared independence will tend to unite in Britain all parties against us; so our offering peace with commerce and payments of money, will tend to divide them again. For peace is as necessary to them as to us: our commerce is wanted by their merchants and manufacturers, who will therefore incline to the accommodation, even though the monopoly is not continued, since it can be easily made appear their *share* of our growing trade will soon be greater than the *whole* has been heretofore. Then for the landed interest, who wish an alleviation of taxes, it is demonstrable by figures, that if we should agree to pay, suppose ten millions in one hundred years, viz. 100,000*l.* per annum for that term, it would, being faithfully employed as a sinking fund, more than pay off all their present national debt. It is besides a prevailing opinion in England, that they must in the nature of things sooner or later lose the colonies, and many think they had better be without the government of them; so that the proposition will, on that account, have more supporters and fewer opposers.

3. As the having such propositions to make, or any powers to treat of peace, will furnish a pre-

tence for B. F.'s going to England, where he has many friends and acquaintance, particularly among the best writers and ablest speakers in both houses of parliament, he thinks he shall be able when there, if the terms are not accepted, to work up such a division of sentiments in the nation, as greatly to weaken its exertions against the United States, and lessen its credit in foreign countries.

4. The knowledge of there being powers given to the commissioners to treat with England, may have some effect in facilitating and expediting the proposed treaty with France.

5. It is worth our while to offer such a sum for the countries to be ceded, since the vacant lands will in time sell for a great part of what we shall give, if not more; and if we are to obtain them by conquest, after perhaps a long war, they will probably cost us more than that sum. It is absolutely necessary for us to have them for our own security; and though the sum may seem large to the present generation, in less than half the term, it will be to the whole United States a mere trifle.

It is uncertain to what extent this plan was adopted by congress. The propositions were certainly not such as the British ministry would have listened to a moment, at that period of the revolutionary war, whatever they might have been disposed to have done in a more advanced state of it.

It is possible, however, that this or some other proposal for peace with Great Britain may have been furnished to Dr. Franklin by the secret committee of congress, to serve him in some measure as a protection in case of his capture at sea; of which there was at that time the most imminent danger.

Dr. Franklin set off on this important mission from Philadelphia, Oct. 26, 1776, accompanied by two of his grand-children, Wm. Temple Franklin, and Benjamin Franklin Bache: they slept at Chester that night, and the next morning went by land to *Marcus Hook*, and embarked there that day, in the United States' sloop of war Reprisal, mounting 16 guns, and commanded by Captain Wickes. During the passage, Dr. Franklin made daily experiments, by means of the thermometer, of the temperature of the sea water, as he had done on similar occasions, and with the same view, of ascertaining the ship's being *in* or *out* of the gulph stream, and more or less within soundings.

The sloop was frequently chased during the voyage by British cruisers, and several times prepared for action; but being a good sailer, and the captain having received orders, not unnecessarily to risk an engagement, she as often escaped her pursuers. The crew did not always seem to like avoiding coming up with the vessels that were occasionally seen, as they were naturally desirous

of getting some prize-money: on this account probably the captain indulged them on some occasions, when there was little likelihood of danger. An opportunity of this kind presented itself on the 27th of November, being then near the coast of France, though out of soundings. Several sail were seen about noon, and the sloop brought-to, and took a brig from Bourdeaux, bound to Cork, (being Irish property) loaded with lumber and some wine. She had left Bourdeaux the day before. The captain found by the brig's reckoning, that he was then only 16 leagues from land. In the afternoon of the same day, he came up with, and took another brig, from Rochfort, belonging to Hull, bound to Hamburgh, with brandy and flax-seed. Early the next morning land was in sight from the mast-head; it proved to be Belle-isle; a pilot came on board, and the sloop was brought to an anchor in the evening. On the 29th she ran into Quiberon Bay, where she continued till December 3d, when finding the contrary winds likely to continue, which prevented her entering the Loire, the captain procured a fishing-boat to put Dr. Franklin and his grandsons on shore at *Auray*, about six leagues distant, where they were landed in the evening. The boatmen spoke the *Breton* language as well as the French; and it appeared to be the common language of the country people in that province. One word only was intelligible, which was *Diaul;* it signifies *Devil*,

and is the same in the Welch language. It is said there is a considerable affinity between the two languages, and that the Welch and Breton fishermen and peasantry can comprehend each other. *Auray* proved to be a wretched place. No post-chaises to be hired,—and obliged to send to *Vannes* for one,—which did not arrive till next day; when the party reached that town, late in the evening. Dr. Franklin, in the little journal he kept, and from which the above details are taken, adds: "The carriage was a miserable one, with tired horses, the evening dark, scarce a traveller but ourselves on the road; and to make it more *comfortable*, the driver stopped near a wood we were to pass through, to tell us that a gang of eighteen robbers infested that wood, who but two weeks ago had robbed and murdered some travellers on that very spot."

The same journal contains the following remark: "December 6. On the road yesterday (travelling to Nantes), we met six or seven country-women, in company, on horseback, and astride: they were all of fair white and red complexions, but one among them was the fairest woman I ever beheld. Most of the men have good complexions, not swarthy, like those of the North of France, in which I remember that, except about *Abbeville*, I saw few fair people."

Arriving at Nantes on the 7th of December, a grand dinner was prepared on the occasion by

some friends of America, at which Dr. Franklin was present, and in the afternoon went to meet a large party at the country seat of Mons. Gruel, a short distance from town, where crowds of visitors came to compliment him on his safe arrival, expressing great satisfaction, as they were warm friends to America, and hoped his being in France would be of advantage to the American cause, &c. &c. A magnificent supper closed the evening.

Being much fatigued and weakened by the voyage and journey, Dr. Franklin was persuaded to remain at M. Gruel's country-house, where he was elegantly and commodiously lodged: his strength, indeed, was not equal to an immediate journey to Paris. During his stay at M. Gruel's he was in hopes of living retired, but the house was almost always full of visitors; from whom, however, much useful information was obtained respecting the state of affairs at court, and the character of persons in power, &c. Dr. Franklin also learnt with great satisfaction, that a supply had been obtained from the French government of two hundred brass field-pieces, thirty thousand firelocks, and some other military stores, which were then shipping for America, and would be convoyed by a ship of war.

Dr. Franklin at that time did not assume any public character, thinking it prudent first to know whether the court was ready and willing to receive

publicly commissioners from the congress; and that he might neither embarrass the ministry on the one hand, nor subject himself and his colleagues to the hazard of a disgraceful refusal on the other, he dispatched an express to Mr. Deane, then in Paris, with the letters he had for him from the committee of congress, and a copy of their joint commission, that he might make the proper inquiries, and give him the necessary information. Meantime it was generally supposed at Nantes, that Dr. Franklin was sent to negotiate, and that opinion appeared to give great pleasure.

On the 15th December Dr. Franklin left Nantes, and shortly after arrived safely at Paris, where he continued to reside till the 7th January following, when he removed with his family to Passy, (a village beautifully situated about a league from the capital,) and took up his abode in a large and handsome house, with extensive gardens, belonging to Mons. Le Ray de Chaumont, a great and useful friend to the American cause. Here Dr. Franklin continued during the whole of his residence in France—being about eight years and a half.

The following extracts from letters written by him to one of his intimate friends, shortly after his arrival in Paris, fully show his sentiments relative to the state of American politics at that period, and furnish some insight as to the nature of his mission to France.

To Dr. Ingenhausz.

—— "I long labored in England with great zeal and sincerity to prevent the breach that has happened, and which is now so wide, that no endeavors of mine can possibly heal it. You know the treatment I met with from that imprudent court: but I keep a separate account of private injuries, which I may forgive; and I do not think it right to mix them with public affairs. Indeed there is no occasion for their aid to whet my resentment against a nation that has burnt our defenceless towns in the midst of winter, has excited the savages to assassinate our innocent farmers, with their wives and children, and our slaves to murder their masters! It would therefore be deceiving you, if I suffered you to remain in the supposition you have taken up, that I am come to Europe to make peace. I am in fact ordered hither by the congress for a very different purpose; viz. to procure such aids from European powers, for enabling us to defend our freedom and independence, which it is certainly their interest to grant; as by that means the great and rapidly growing trade of America will be open to them all, and not a monopoly to Great Britain as heretofore: a monopoly, that if she is suffered again to possess, will be such an increase of her strength by sea, and if she can reduce us again to submission, she will have thereby so great an addition

to her strength by land, as will, together, make her the most formidable power the world has yet seen; and from her natural pride and insolence in prosperity, of all others the most intolerable."

To the same.

"You desire to know my opinion of what will probably be the end of this war; and whether our new establishments will not be thereby reduced again to deserts. I do not, for my part, apprehend much danger of so great an evil to us. I think we shall be able, with a little help, to defend ourselves, our possessions, and our liberties, so long that England will be ruined by persisting in the wicked attempt to destroy them. I must nevertheless regret that ruin, and wish that her injustice and tyranny had not deserved it. And I sometimes flatter myself that, old as I am, I may possibly live to see my country settled in peace and prosperity, when Britain shall make no more a formidable figure among the powers of Europe.

"You put me in mind of an apology for my conduct, which has been expected from me, in answer to the abuses thrown upon me before the privy council.[1] It was partly written, but the affairs of public importance I have been ever since engaged in, prevented my finishing it. The in-

[1] See MEMOIRS of LIFE, Part III. and APPENDIX, No. 5.

juries too that my country has suffered, have absorbed private resentments, and made it appear trifling for an individual to trouble the world with his particular justification, when all his compatriots were stigmatised by the king and parliament as being, in every respect, *the worst of mankind!* I am obliged to you, however, for the friendly part you have always taken in the defence of my character; and it is indeed no small argument in my favor, that those who have known me most and longest, still love me and trust me with their most important interests, of which my election into the congress by the unanimous voice of the assembly, or parliament of Pennsylvania, the day after my arrival from England, and my present mission hither by the congress itself, are instances incontestable."

Dr. Franklin was *privately* received with every demonstration of regard and respect by the minister for foreign affairs, Mons. le Comte de Vergennes; who assured him and the other American commissioners, that they should personally enjoy in France, "*toute la sureté et tous les agréments que nous y faisons éprouver aux étrangers.*"

A conviction of the advantages to be derived from a commercial intercourse with America, and a desire of weakening the British empire by dismembering it, induced the French court secretly to give assistance in military stores to the Ame-

ricans, and to listen to proposals of an alliance. But they at first showed rather a reluctance to the latter measure, which, however, by Dr. Franklin's address, aided by a subsequent important success attending the American arms, was eventually overcome.

Early in January, 1777, Dr. Franklin went to Versailles with his colleagues, and, according to their instructions from congress, communicated to the Count de Vergennes, minister for foreign affairs, certain proposals in writing, to induce the government of France to take a decided part in favor of the United States, and send a certain number of ships of the line and frigates to act against the British on the coast of America. But no answer was then obtained to these proposals; that government not being then prepared to interfere *openly* in regard to the existing dispute. France had, indeed, suffered so much in the preceding war with Great Britain, that there probably was no Frenchman who did not wish for a diminution of the power and resources of this nation; and there were but few who did not perceive that this reduction would in a considerable degree be effected by a *prolongation* of the subsisting contest with America, in whatever way it might ultimately terminate; and therefore, though the French government did not think it prudent to risk the consequences of a war with Great Britain, until the colonies, or United States of America, should have sufficiently mani-

fested both their *ability* and *determination* to *persevere* in contending efficaciously for their independence, it was convinced of the impolicy of exposing the latter to the necessity of *submitting* to Great Britain by any want of arms, &c. to defend themselves, and protract their resistance. It had therefore, previous to Dr. Franklin's arrival, at the solicitation of Mr. Deane, determined *secretly* to afford a considerable supply of artillery, arms, and military stores to the American congress; and for this purpose the celebrated Caron de Beaumarchais was employed as an *ostensible* agent in this business; and the better to conceal the origin and nature of this transaction, he established a commercial house at Paris, under the firm of Roderigue Hortalez and Co. And though he was in fact secretly supplied with such articles as could be spared from the arsenals of France, and with money to purchase the others by the French government, he required and obtained from Mr. Deane, a stipulation that congress should deliver to his agents, tobacco and other American productions to the amount of the articles supplied; after which these articles were shipped for America, at different times and in different vessels; one of these was the *Amphitrite*, a large ship, from which were landed in New Hampshire, the artillery, arms, &c. employed in the capture of General Burgoyne's army. But previously to that event, the British troops had obtained important advan-

tages in other parts of America, and in consequence thereof Lord Stormont had complained to the French court in such energetic and menacing terms, of the assistance afforded by France to the American congress, that an immediate rupture with Great Britain was apprehended; and an order was therefore secretly dispatched by M. de Sartine, then minister of the marine department, to recal the French fishermen from the banks of Newfoundland. And the better to pacify the British government, Mr. Hodge, an American merchant, who had equipped and sent out from Dunkirk the privateer by which a British packet going from Dover to Ostend, as well as other British vessels, had been captured, was sent to the Bastile; and the master of the *Amphitrite*, (which had recently returned to France after landing her cargo of artillery, &c. in America, as just mentioned,) was also committed to prison. Indeed matters soon became so serious, that M. de Beaumarchais, though he had done nothing without the authority of his government, fully expected that a severe punishment would be inflicted on him, as a means of convincing Lord Stormont that the supplies sent to America had been furnished without the privity, or at least the sanction, of the French government. He came to Passy early in December, and complained in strong terms of the treatment which he was about to suffer, saying, "*On me coupe la gorge comme à un agneau*," &c. But

while he was doing this, Mr. Austin, who had been dispatched by the government of Massachusetts Bay, with an account of the surrender of General Burgoyne and his whole army, arrived at Passy; and this news being made known, M. de Beaumarchais immediately discarded his fears, and returned to Paris in the highest spirits, and with such haste, that the cabriolet in which he rode was overset, and one of his arms dislocated on the way.

The American commissioners began privately to grant letters of marque to a number of *French-American* privateers, which harassed the English coasting trade, intercepted a great number of British merchant vessels, and took many prisoners. Lord Stormont, his Britannic Majesty's ambassador at Versailles, when applied to by the American commissioners relative to an exchange of those prisoners, haughtily and unfeelingly gave them for answer, "that he received no letters from rebels, unless they were to petition his Majesty's pardon!!" or words to that effect. His lordship presented several memorials to the French minister, complaining of the equipment of American vessels in the ports of France, bringing in of their prizes, &c. and of the assistance France was underhandedly affording the insurgents; demanding at the same time a categorical answer respecting such conduct.

On this occasion Count De Vergennes affected to remonstrate with the American commissioners,

and on the 16th July, 1777, wrote to them that they had exceeded the bounds limited at their first interview with him, which were expressly, "*Que la navigation et commerce Américans éprouveroient toutes les facilités en France, qui seroient compatibles avec l'exacte observance de ses traités avec l'Angleterre, qu'il étoit dans les principes du Roi de remplir religieusement.*"

This remonstrance might also in some measure have been influenced by the very unfavorable accounts latterly received from America, and which bore a most unpromising aspect for the success of the American cause. In England it was generally thought, even by the friends of America, that her struggle for independence was at an end, and that nothing was left for her but unconditional submission. Dr. Fothergill, a particular friend of Dr. Franklin, and a well-wisher to America, in a letter to his nephew, Mr. John Chorley, dated June, 1777, written with the view to its being communicated to Dr. Franklin, (which it shortly after was,) thus expresses himself:

"Should thy friend think proper to go to Passy, he may say to Dr. Franklin, that if he has enemies in this country, he has also friends; and must not forget these, because the former are ignorant and malicious, yet all-powerful. He will doubtless inform the Doctor, that there remains not a doubt on this side the water, that American resistance is all at an end—that the shadow of con-

gressional authority scarce exists—that a general defection from that body is apparent—that their troops desert by shoals—that the officers are discontented—that no new levies can be made—that nothing can withstand the British forces, and prevent them from being masters of the whole continent; in short, that the war is *at an end*, and that nothing remains to be done, but to divide the country among the conquerors. This is the general language; and that neither France nor Spain will afford them any other than a kind of paralytic aid; enough to enable them to protract a few months longer a miserable existence!"

In the midst of this supposed gloomy state of affairs in America, the news of the surrender of the British army commanded by General Burgoyne, to that of the Americans under General Gates, at Saratoga, on the 17th October, 1777, arrived in France; and at the very moment when the French cabinet was as yet undecided in regard to the steps to be adopted relative to the United States. This memorable event immediately turned the scale, and fixed the French nation in their attachment to the infant republic.

The news of the defeat and capture of this British general and his whole army, was received in France with as great demonstrations of joy, as if it had been a victory gained by their own arms. Dr. Franklin took advantage of this circumstance, and suggested to the French ministry, "that there

was not a moment to be lost, if they wished to secure the friendship of America, and detach her entirely from the mother-country." Urged by these considerations, and fearful lest an accommodation might take place between Great Britain and her colonies, the court of France instantly determined to declare its intentions, and accordingly, on the 6th December, 1777, Mons. Gerard, secretary to the council of state, repaired to the hotel of the American commissioners, and informed them, by order of the King, "that after a long and mature deliberation upon their propositions, his Majesty had resolved to recognise the independence of, and to enter into a treaty of commerce and alliance with, the United States of America; and that he would not only acknowledge their independence, but actually support it with all the means in his power: that perhaps he was about to engage himself in an expensive war upon their account, but that he did not expect to be reimbursed by them: in fine, the Americans were not to think that he had entered into this resolution solely with a view of serving them, since, independently of his real attachment to them and their cause, it was evidently the interest of France to diminish the power of England, by severing her colonies from her."

In consequence of this amicable and frank declaration, treaties were soon after entered upon with Mons. Gerard, who on the 30th of January, 1778, had received two distinct commissions from the

King for that purpose. And on the 6th day of February following, a treaty of amity and commerce, and another of alliance eventual and defensive, between his most Christian Majesty and the thirteen United States of North America, were concluded and signed at Paris by the respective plenipotentiaries.

This forms a memorable epoch in the political life of Dr. Franklin, as well as in the annals of the United States, because it was in a great measure owing to the aid derived from this powerful alliance, that the American colonies were enabled to resist the mother-country, and eventually to establish their independence.

It was mutually agreed that these treaties should be kept secret till the ratifications were exchanged; but some time after, accounts having been received of the intention of the English ministry to send Lord Carlisle, Mr. Eden, and Governor Johnstone, as additional commissioners to America, to be joined to the commanders-in-chief of the British land and sea forces there, with full powers to treat, settle, and agree on terms, even with congress, but subject to the confirmation of parliament; the French government, with the view to counteract any favorable result to Great Britain from this project, immediately instructed their ambassador at St. James's (the Marquis de Noailles) to communicate officially to the English government, that the above-mentioned treaties had been concluded and

signed. On this, the British cabinet instantly dispatched instructions to Lord Stormont, to withdraw from the court of France, without taking leave; and this having been intimated to the Marquis de Noailles, he left England about the same time.

It had been expected that the notification made by the French ambassador at London, of the signature of two treaties, between France and the United States, would have discouraged the British government from sending commissioners to America; but this did not happen; their mission however was of no avail; notwithstanding every art and deception was made use of by them to effect this purpose. Governor Johnstone in particular had publicly asserted, that Dr. Franklin had *approved of the propositions the British commissioners had carried over with them.* This was an absolute falsehood, of which Dr. Franklin, as soon as apprised of it, expressed his indignation to the president of the state of Pennsylvania, in his letter dated Passy, March 19, 1780.[1]

As there was now no longer any reason to delay the public and formal presentation of the American plenipotentiaries to the King, an early day was fixed for that purpose, when Dr. Franklin with his colleagues, (attended by a considerable number of Americans who were then in Paris,) went to Ver-

[1] See PRIVATE CORRESPONDENCE, 4to. p. 245,—8vo. vol. ii. p. 18.

sailles, and were presented by Count de Vergennes to the King, who received them graciously: they were afterwards presented to the Queen, to his present Majesty, Louis XVIII., then Count de Provence, and to all the members of the royal family then at Versailles.[1] They were afterwards introduced to the Count de Maurepas, first minister, &c. &c. And these introductions being over, Dr. Franklin and his colleagues, with Dr. Bancroft, and the editor of these Memoirs, dined with the Count de Vergennes; and in the evening went by particular invitation to "*le Jeu de la Reine*," where they found the royal family seated at play, round a large table—a considerable heap of louis-d'ors lay before each of the players, and from the number of these, which from time to time were *shovelled* by the losers to the winners, the gaming appeared to be high. On this occasion Dr. Franklin was honored by the particular notice of the Queen, who courteously desired him to stand near to her, and as often as the game did not require her *immediate* attention, she took occasion to speak to him in very obliging terms.

About the time of these presentations Mr. Deane received letters of recal from congress. The reason assigned for this proceeding, and which ap-

[1] The Count D'Artois was absent.—A duel having recently taken place between his Royal Highness and the Duke de Bourbon, they had both been exiled for a short time from court.

pears to have been the true one, was his having imprudently exceeded his powers and instructions, by making engagements with M. du Coudray, a very distinguished engineer, and with many other French officers, of such a nature that the congress were unable to fulfil them; and therefore thought it necessary, in their own justification, to manifest in this way their disapprobation of that part of his conduct.[1] He soon after returned to America,

[1] The second volume of Biographical, Literary, and Political Anecdotes, &c. printed for Longman & Co. in 1797, contains an account of Dr. Franklin's life, in which, at p. 337, is the following statement, viz. "Mr. Silas Deane, and Dr. Bancroft, who was Secretary to the American Embassy at Paris, were accused of gambling in the English funds. Bancroft was dismissed, and though Franklin interposed in behalf of Deane, and made himself some enemies by it in America, yet he could not prevent Deane's being recalled." Truth impels the Editor here to say, that this assertion is groundless—that Deane could not have been recalled in consequence of the charge here mentioned, none such having been made, much less acted upon by congress; and his recal, from the motives already mentioned, was so sudden and unexpected, that it would have been impossible for Dr. Franklin to interfere, had he been desirous of doing so—and in regard to Dr. Bancroft, he did not hold any appointment from congress, and the Editor with confidence asserts he was never dismissed from any, by that, or any other body, or authority. Equally groundless is the account, in the same volume, of Dr. Franklin's having sent Mr. Thornton to London to negotiate an exchange of prisoners with Lord North. The person who assumed that name, was not as is pretended, "an American Gentleman," nor was he ever employed by Dr. Franklin for any purpose whatever.

with M. Gerard, who was appointed to reside in the United States, as minister plenipotentiary from his most Christian Majesty. They both embarked at Toulon on board the *Languedoc* of 100 guns, which carried the flag of Count d'Estaing; but this was done privately, that the Count's destination might not be known.

Hostilities now commenced between Great Britain and France; and the American commissioners plenipotentiary were immediately presented at court in their public character, with the accustomed forms, and were very graciously received by the king and all the royal family.

A French historian, M. Hilliard D'Auberteuil, thus notices Dr. Franklin's first appearance at the court of Versailles.

"Dr. Franklin at length had an interview with his most Christian Majesty: he was presented to him in the gallery of Versailles, by the Count de Vergennes, minister for foreign affairs. On this occasion he was accompanied and followed by a great number of Americans, and individuals of foreign states, who were collected together by curiosity. His age, his venerable appearance, the simplicity of his dress on such an occasion, every thing that was either singular or respectable in the life of this American, contributed to augment the public attention. Clapping of hands, and a variety of other demonstrations of joy, announced that

warmth of affection, of which the French are more susceptible than any other people, and of which their politeness and civility augments the charm to him who is the object of it.

"His majesty addressed him as follows:

"'You may assure the United States of America of my friendship: I beg leave also to observe, that I am exceedingly satisfied in particular with your own conduct, during your residence in my kingdom.' When the new ambassador, after this audience, crossed the court, in order to repair to the office of the minister of foreign affairs, the multitude waited for him in the passage, and hailed him with their acclamations."

Dr. Franklin was undoubtedly the fittest person that could have been found for rendering essential services to the United States at the court of France. He was well known as a philosopher throughout all Europe, and his character was held in the highest estimation. In France he was received with the greatest marks of respect by all the literary characters; and this was extended amongst all classes of men, and particularly at the court. His personal influence was hence very considerable. To the effects of this were added those of various writings which he published, tending to establish the credit and character of the United States; and to his exertions in this way may in no small degree be ascribed, not only the free gifts

obtained from the French government, but also the loans negotiated in Holland, which greatly contributed to bring the war to a favorable conclusion, and the establishment of American independence.

During the progress of these transactions at the court of France, Dr. Franklin had received from congress their commission to negotiate a treaty of friendship and commerce with the court of Spain. On this occasion he waited on Count d'Aranda, the Spanish ambassador at Paris, and left with him a copy of his commission; and some time after addressed to him the following letter.

To His Excellency the Count d'Aranda, &c. &c.

Sir, *Passy, April 7, 1777.*

I left in your excellency's hands, to be communicated, if you please, to your court, a duplicate of the commission from the congress, appointing me to go to Spain as their minister plenipotentiary. But as I understand that the receiving such a minister is not at present thought convenient, and I am sure the congress would have nothing done that might incommode in the least a court they so much respect, I shall therefore postpone that journey till circumstances may make it more suitable. In the mean time, I beg leave to lay before his Catholic Majesty, through the hands of your excellency, the propositions contained in a

resolution of congress, dated December 30, 1776, viz.:

"That if his Catholic Majesty will join with the United States in a war against Great Britain, they will assist in reducing to the possession of Spain the town and harbor of Pansacola; provided the inhabitants of the United States shall have the free navigation of the Mississippi, and the use of the harbor of Pensacola; and will, (provided it shall be true that his Portuguese Majesty has insultingly expelled the vessels of these states from his ports, or has confiscated any such vessels,) declare war against the said king, if that measure shall be agreeable to, and supported by, the courts of France and Spain."

It is understood that the strictest union subsists between these two courts; and in case Spain and France should think fit to attempt the conquest of the English sugar islands, the congress have further proposed to furnish provisions to the amount of two millions of dollars, and to join the fleet employed on the occasion, with six frigates of not less than 24 guns each, manned and fitted for service; and to render any other assistance which may be in their power, as becomes good allies; without desiring for themselves the possession of any of the said islands.

These propositions are subject to discussion, and to receive such modification as may be found proper.

With great respect, I have the honor to be your Excellency's most obedient and most humble servant, B. FRANKLIN.

This negotiation was not carried further at the time, and subsequently Mr. Jay was sent by congress as their special minister to the court of Spain; where his patience and ability were equally displayed to his own credit, and the interest of his country, which he ever had at heart.

We must now revert to some less important circumstances that occurred about this time, and which were omitted in the precise order of their dates, to avoid interrupting the account of transactions of greater moment.

An incident, though trifling of itself, yet, as relating to a *great personage*, and as connected with Dr. Franklin's memoirs, ought not to be omitted.

At the time of the visit to Paris of the Emperor Joseph II. brother to the queen of France, (then travelling under the title of *Count de Falkenstein*,) Dr. Franklin received the following note from the envoy of the Grand Duke of Tuscany resident at Paris.

A Monsieur le Docteur Franklin.

L'Abbé Niccoli prie Monsieur Franklin de lui faire l'honneur de venir déjeuner chez lui Mercredi matin, 28 de ce mois, à 9 heures. Il lui

donnera une bonne tasse de chocolat. Il l'assure de son respect.

Du petit Luxembourg, Lundi, 26 Mai, 1777.

To this note, found among Dr. Franklin's papers, is added the following memorandum in his hand-writing.

"The above is from the Abbé Niccoli, minister of the Grand Duke of Tuscany. The intention of it was, to give the emperor an opportunity of an interview with me, that should appear accidental. Monsieur Turgot and the Abbé were there to be present, and by their knowledge of what passed, to prevent or contradict false reports. The emperor did not appear, and the Abbé Niccoli since tells me, that the number of other persons who visited him that morning, of which the emperor was informed, prevented his coming; that at 12, understanding they were gone, he came; but I was gone also."

The cause of America becoming very popular in France, and the number of officers out of employ being so considerable, Dr. Franklin was extremely harassed by the numerous applications for service in the armies of the United States. The following letter to a friend is so fully and strongly descriptive of his sentiments and feelings on this subject, and in other respects so entertaining, that we here insert it.

To * * *

Passy, ——

You know, my dear friend, that I am not capable of refusing you any thing in my power, which would be a real kindness to you, or any friend of yours; but when I am certain that what you request would be directly the contrary, I ought to refuse it. I know that officers going to America for employment will probably be disappointed; that our armies are full; that there are a number of expectants unemployed, and starving for want of subsistence; that my recommendation will not make vacancies, nor can it fill them, to the prejudice of those who have a better claim; that some of those officers I have been prevailed on to recommend have, by their conduct, given no favorable impression of my judgment in military merit; and then the voyage is long, the passage very expensive, and the hazard of being taken and imprisoned by the English, very considerable. If, after all, no place can be found affording a livelihood for the gentleman in question, he will perhaps be distressed in a strange country, and ready to blaspheme his friends who, by their solicitations, procured for him so unhappy a situation. Permit me to mention to you, that, in my opinion, the natural complaisance of this country often carries people too far in the article of *recommendations.* You give them with too much facility to persons of whose real characters

you know nothing, and sometimes at the request of others of whom you know as little. Frequently, if a man has no useful talents, is good for nothing, and burthensome to his relations, or is indiscreet, profligate and extravagant, they are glad to get rid of him by sending him to the other end of the world; and for that purpose scruple not to recommend him to those they wish should recommend him to others, as "*un bon sujet—plein de mérite*," &c. &c. In consequence of my crediting such recommendations, my own are out of credit, and I cannot advise any body to have the least dependance on them. If, after knowing this, you persist in desiring my recommendation for this person, who is known neither to *me* nor to *you*, I will give it,[1] though, as I said before, I ought to refuse it.

[1] For cases of this kind, and where it was absolutely *impossible* to refuse, Dr. Franklin drew up the following as a model for such letters of recommendation, and actually employed it in some instances, to shame the persons making such indiscreet applications; and to endeavor, in some measure, to put a stop to them.

Model of a Letter of Recommendation of a person you are unacquainted with.

SIR, *Paris, April* 2, 1777.

The bearer of this, who is going to America, presses me to give him a letter of recommendation, though I know nothing of him, not even his name. This may seem extraordinary, but I assure you it is not uncommon here. Sometimes, indeed, one unknown person brings another equally unknown, to re-

These applications are my perpetual torment. People will believe (notwithstanding my repeated declarations to the contrary) that I am sent hither to engage officers.—In truth I never had any such orders. It was never so much as intimated to me that it would be agreeable to my constituents. I have even received for what I have done of the kind, not indeed an absolute rebuke, but some pretty strong *hints* of disapprobation. Not a day passes in which I have not a number of soliciting visits, besides letters. If I could gratify all, or any of them, it would be a pleasure. I might indeed give them the recommendation and the promises they desire, and thereby please them for the present; but when the certain disappointment of the expectations with which they will so obstinately flatter themselves shall arrive, they must curse me for complying with their mad requests, and not undeceiving them; and will become so many enemies to our cause and country. You can have no conception how I am harassed. All my friends are sought out and teazed to teaze me. Great offi-

commend him; and sometimes they recommend one another! As to this gentleman, I must refer you to himself for his character and merits, with which he is certainly better acquainted than I can possibly be: I recommend him however to those civilities which every stranger, of whom one knows no harm, has a right to; and I request you will do him all the good offices, and show him all the favor that, on further acquaintance, you shall find him to deserve. I have the honor to be, &c.

cers of all ranks, in all departments; ladies, great and small, besides professed solicitors, worry me from morning to night. The noise of every coach now that enters my court terrifies me. I am afraid to accept an invitation to dine abroad, being almost sure of meeting with some officer or officer's friend, who, as soon as I am put in good humor by a glass or two of champaigne, begins his attack upon me. Luckily I do not often in my sleep dream of these vexatious situations, or I should be afraid of what are now my only hours of comfort. If, therefore, you have the least remaining kindness for me, if you would not help to drive me out of France, for God's sake, my dear friend, let this your twenty-third application be your last. Yours, &c. B. FRANKLIN.

The following letter, on the same subject, was addressed by Dr. Franklin to an impertinent and unknown applicant; and contains some wholesome advice in a tart and pithy style.

Passy, near Paris, April 6, 1777.

SIR,

I have just been honored with a letter from you, dated the 26th past, in which you express yourself as astonished, and appear to be angry that you have no answer to a letter you wrote me on the 11th of December, which you are sure was delivered to me.

In exculpation of myself, I assure you that I never received any letter from you of that date. And indeed, being then but four days landed at Nantes, I think you could scarce have heard so soon of my being in Europe.

But I received one from you of the 8th of January, which I own I did not answer. It may displease you if I give you the reason; but as it may be of use to you in your future correspondences, I will hazard that for a gentleman to whom I feel myself obliged, as an American, on account of his good-will to our cause.

Whoever writes to a stranger should observe three points; 1. That what he proposes be practicable. 2. His propositions should be made in explicit terms, so as to be easily understood. 3. What he desires should be in itself reasonable. Hereby he will give a favorable impression of his understanding, and create a desire of further acquaintance. Now it happened that you were negligent in *all* these points: for, first, you desired to have means procured for you of taking a voyage to America "*avec sureté*;" which is not possible, as the dangers of the sea subsist always, and at present there is the additional danger of being taken by the English. Then you desire that this may be "*sans trop grandes dépenses*," which is not intelligible enough to be answered, because, not knowing your ability of bearing expenses, one cannot judge what may be *trop grandes*. Lastly, you de-

sire letters of address to the congress and to General Washington; which it is not reasonable to ask of one who knows no more of you than that your name is LITH, and that you live at BAYREUTH.

In your last you also express yourself in vague terms, when you desire to be informed whether you may expect "*d'être reçu d'une manière convenable*" in our troops? As it is impossible to know what your ideas are of the *manière convenable*, how can one answer this? And then you demand, whether I will support you by my authority in giving you letters of recommendation? I doubt not your being a man of merit; and knowing it yourself, you may forget that it is not known to every body: but reflect a moment, sir, and you will be convinced, that if I were to practise giving letters of recommendation to persons of whose character I knew no more than I do of yours, my recommendations would soon be of no authority at all.

I thank you, however, for your kind desire of being serviceable to my countrymen; and I wish in return that I could be of service to you in the scheme you have formed of going to America. But numbers of experienced officers here have offered to go over and join our army, and I could give them no encouragement, because I have no orders for that purpose, and I know it extremely difficult to place them when they arrive there. I cannot but think, therefore, that it is best for you not to make so long, so expensive, and so hazard-

ous a voyage, but to take the advice of your friends, and "*stay in Franconia.*" I have the honor to be, sir, &c. B. FRANKLIN.

Before we return to political occurrences, as connected with the memoirs of Dr. Franklin, we have to notice an attempt that was made in 1777, to detract, if not to annul, the great discovery of the American philosopher, for the protection of buildings and ships from the effects of lightning. Mr. B. Wilson, F.R.S., who had formerly, at a meeting of the Royal Society, protested unsuccessfully against the *pointed* conductors of Franklin, now endeavored, by certain experiments, publicly exhibited at the Pantheon, to prove the superior advantage of *knobs* to *points*, or the greater safety to be derived from blunt to sharp lightning conductors. These experiments, it is said, were much countenanced by the king, who attended them, with some of the royal family; but their fallacy was soon discovered, as appears by the following article on the subject, in the London Evening Post of the 16th Sept. 1777.

"Monday, Mr. B. Wilson repeated his experiments at the Pantheon, before several fellows of the Royal Society, and other persons. Lord Viscount Mahon,[1] F.R.S. being present, had a great dispute with Mr. Wilson concerning his experi-

[1] The late Lord Stanhope. (1818.)

ments, and showed him that he was wrong in both his assertions: first, that *knobs* are better than *points;* and secondly, that *low conductors* are better than *high ones.* His lordship proved both these assertions to be *false*, and showed also that Mr. Wilson had entirely *misunderstood*, and had consequently *misrepresented* the philosophical opinions of Dr. Franklin. Lord Mahon repeated several experiments of his own to prove his assertions; and by invariably succeeding in them, at the same time that those of Mr. Wilson failed repeatedly, his lordship proved this to demonstration; and by so doing gave great satisfaction to the best informed persons present. Mr. Wilson went to the other end of the room, as if to avoid seeing Lord Mahon's experiments. He afterwards said that he had *not changed his opinions*, and would publish his own hypothesis; upon which Lord Mahon told Mr. Wilson, in a most candid and gentleman-like manner, that he was very sorry to be obliged to differ in opinion from him, but as the *question* about *conductors for lightning* was of so great importance to this country, and to society in general, that if Mr. Wilson should *publish* an erroneous opinion upon this subject, he would also pledge himself to the public to *refute* him *in print*."

A few days after, Mr. Wilson's alleged improvement was completely negatived by the discovery and exposure of the delusion attending those experiments which had appeared favorable to it.

This took place on the 2d October, when several members of the Royal Society, and other gentlemen conversant with electricity, went to see these experiments repeated; among these were Mr. Henly and Mr. Nairne, both fellows of the Royal Society, who pointed out and demonstrated the fallacy of the expedients intended to establish Mr. Wilson's philosophical reputation at the expense of that of Dr. Franklin.

Another member of the Royal Society, (and of most of the learned societies of Europe,) the ingenious Dr. Ingenhausz, who had assisted at these experiments, afterwards wrote a very vehement letter on the subject, addressed to a friend on the continent, giving a full account of what he called Mr. Wilson's "*charlatanerie.*"[1] But the letter is too long and violent to be here inserted.

The writer mentions, that pending these experiments, the *pointed* lightning conductors were taken down from the queen's palace.[2]

[1] Since the publication of the first edition of these memoirs, the editor has been satisfied that there was no evidence to justify a charge of *intentional fraud* against Mr. Wilson.—The makers of experiments are very liable to be deceived by them, and to flatter themselves with a belief that they have made great discoveries, when there is no solid foundation for such belief: and in these cases self-love often hinders them from detecting those deceptive circumstances, which are obvious to more disinterested persons.

[2] This was a fact; and they have never since been re-esta-

The letter concludes with a request that it might be communicated to Dr. Franklin, and made public in France.

On the letter being communicated to Dr. Franklin, and his opinion asked with respect to the propriety of publishing it in Paris, he thus replied.

SIR, *Passy, Oct.* 14, 1777.

"I am much obliged by your communication of the letter from England. I am of your opinion, that it is not proper for publication here. Our friend's expressions concerning Mr. Wilson, will be thought too angry to be made use of by one philosopher when speaking of another, and on a philosophical question. He seems as much heated about this *one point*, as the Jansenists and Molinists were about the *five*. As to my writing any thing on the subject, which you seem to desire, I think it not necessary, especially as I have nothing to add to what I have already said upon it in a paper read to the committee,[1] who ordered the conductors at Purfleet; which paper is printed in the last French edition of my writings. I have never entered into

blished, notwithstanding the condemnation of the pretended improvement by the Royal Society, in their reports in favor of *pointed* conductors, and their being consequently generally employed for the protection of the powder magazines throughout the country.

[1] Report on Lightning Conductors for the Powder Magazines at Purfleet, drawn up by Dr. Franklin, Aug. 21, 1772.

any controversy in defence of my philosophical opinions; I leave them to take their chance in the world. If they are *right*, truth and experience will support them; if *wrong*, they ought to be refuted and rejected. Disputes are apt to sour one's temper, and disturb one's quiet. I have no private interest in the reception of my inventions by the world, having never made, nor proposed to make, the least profit by any of them. The king's changing his *pointed* conductors for *blunt* ones is, therefore, a matter of small importance to me. If I had a wish about it, it would be that he had rejected them altogether as ineffectual. For it is only since he thought himself and family safe from the thunder of heaven, that he dared to use his own thunder in destroying his innocent subjects.[1] I am, sir, yours, &c. "B. FRANKLIN."

During the months of March, April, and July, 1778, various schemes were fallen upon by the English ministry, privately to sound Dr. Franklin on the subject of peace with America. The cor-

[1] The foregoing circumstances, united with the then state of the British nation, gave rise to the following *(pointed)* epigram.

"While you, great GEORGE! for safety hunt,
And sharp conductors change for blunt,
The empire's out of joint.
FRANKLIN a wiser course pursues;
And all your thunder fearless views,
By keeping to the *point*."

respondents or agents employed by them on this occasion, were principally, Mr. Hutton, William Pulteney, and David Hartley, esquires; the two latter members of parliament. A full account of these attempts, and others that took place at subsequent periods of the war, with the view to induce America to abandon her alliance with France, or to treat for peace on terms short of her independence, or of the formal acknowledgment of it by Great Britain; together with all the letters, memorials, and diplomatic documents exhibited on the occasion, will be found in PART III. of PRIVATE CORRESPONDENCE.[1]

The alliance with France was considered in America as a pledge of the safety and liberty of the country. The immediate fruit of it was the powerful aid sent thither by France, in the squadron of the Count D'Estaing, consisting of eleven ships of the line, six frigates, and considerable land forces. Previous to its departure, Dr. Franklin had furnished the French government with a plan for surprising the British fleet and army then in

[1] This Part has been specially devoted to this subject, and contains a regular and minute account of all the overtures and negotiations public and private, in which Dr. Franklin was concerned, and which finally led to peace with America as an independent state; thus forming a separate and uninterrupted history of these interesting and important transactions; which was thought preferable to interspersing them through these memoirs.

the Delaware; and Count D'Estaing was directed to execute this important enterprise. A better choice of a commander could not have been made: he united uncommon ardor and intrepidity, great military knowledge, vigilance, and circumspection, a quick decision, and a perfect command of himself in the most trying moments.

The enterprise would in all probability have proved successful, had it not been for an unexampled series of bad weather and contrary winds.

The Count took his departure from Toulon the 13th April, 1778. In the Mediterranean he had to encounter with such contrary winds, that it was not in his power to pass the straits of Gibraltar till the 17th May. The calms and light winds that afterwards attended him on the ocean, prevented the arrival of his fleet at the mouth of the river Delaware before the 7th July. In consequence of these unforeseen obstacles, the French admiral arrived too late, for the English army had evacuated Philadelphia after their defeat at Monmouth, and their fleet was then riding in perfect safety at Sandy Hook.

It is not our province to pursue farther the Count's operations; suffice it, that his presence on the American coasts served to establish the new alliance, and cultivate a friendship between the two countries at a very critical time; and that he

employed his ships in the best manner that circumstances would permit.

But fleets and armies were not the only support to the American cause, derived from the alliance with France, through the influence of Dr. Franklin. For military stores and large sums of money were placed at his disposal by the French government, in consequence of his representations and pressing solicitations. These timely succors were of infinite use, and greatly assisted the Americans in sustaining their independence. By means of the pecuniary advances, which were chiefly gifts, Dr. Franklin was enabled for several years to honor bills drawn from America to a large amount, and to pay the interest of a loan the congress had effected, on the express stipulation of the interest being paid in cash in Europe. He also paid the salaries of all the American ministers or agents employed in Europe, and gave considerable assistance to the American prisoners in England, and to those who escaped or were exchanged, to aid their return to the United States.

In June, 1778, Dr. Franklin's old friend, Mr. Hutton,[1] secretary to the Moravian Society, applied to him for a protection against American cruisers, for a vessel the society annually dispatched to their missionaries on the coast of Labra-

[1] The same as mentioned in Private Correspondence, Parts I. and III.

dor: this Dr. Franklin, with his usual humanity, readily acquiesced in; and immediately forwarded to Mr. Hutton a pass,[1] which he afterwards annu-

[1] To all Captains and Commanders of Vessels of War, Privateers, and Letters of Marque, belonging to the United States of America.

Gentlemen,

The religious society commonly called the Moravian Brethren, having established a mission on the coast of Labrador, for the conversion of the savages there to the Christian religion, which has already had very good effects in turning them from their ancient practices of surprising, plundering, and murdering such white people, Americans and Europeans, as, for the purposes of trade or fishery, happened to come on that coast; and persuading them to lead a life of honest industry, and to treat strangers with humanity and kindness: and it being necessary for the support of this useful mission, that a small vessel should go thither every year to furnish supplies and necessaries for the missionaries and their converts; which vessel for the present year is a of about seventy-five tons, called the whereof is master Captain

This is to request you, that if the said vessel should happen to fall into your hands, you would not suffer her to be plundered, or hindered in her voyage, but on the contrary afford her any assistance she may stand in need of: wherein I am confident your conduct will be approved by the congress and your owners.

Given at Passy, near Paris, this day of

B. FRANKLIN,
Minister Plenipotentiary from the United
(Seal.) States of America, at the court of France.

P. S. The same request is respectfully made to the commanders of armed vessels belonging to France and Spain, friends of the said United States. B. FRANKLIN.

ally renewed during the war: the present was accompanied by the following note.

To Mr. Hutton, *London.*

My dear old friend has here the paper he desired.—We have had a marble monument made at Paris for the brave General Montgomery, which is gone to America. If it should fall into the hands of any of your cruisers, I expect you will exert yourself to get it restored to us, because I know the generosity of your temper, which likes to do handsome things, as well as to make returns. You see we are unwilling to *rob the hospital;* we hope your people will be found as averse to *pillaging the dead.* Adieu. Yours, B. Franklin.

Passy, June 23, 1778.

With the same wonted philanthropy, and with a view to the advancement of science, natural history, and navigation, Dr. Franklin, shortly after, as minister plenipotentiary from the United States of America, issued a protection for Captain Cook, his vessel and people, against all American cruisers.[1]

[1] To all Captains and Commanders of armed ships acting by Commission from the Congress of the United States of America, now in war with Great Britain.

Gentlemen,

A ship having been fitted out from England before the commencement of this war, to make discoveries of new

Dr. Kippis, a distinguished literary character, who published a Biographical Dictionary, had asserted, in his Life of Captain Cook, upon what he deemed authority, that Dr. Franklin's orders, as above, were instantly reversed, and that it was directed by congress, to seize Captain Cook, if an opportunity of doing it occurred: but Dr. Kippis,

countries in unknown seas, under the conduct of that most celebrated navigator, Captain Cook; an undertaking truly laudable in itself, as the increase of geographical knowledge facilitates the communication between distant nations, in the exchange of useful products and manufactures, and the extension of arts, whereby the common enjoyments of human life are multiplied and augmented, and science of other kinds increased to the benefit of mankind in general; this is, therefore, most earnestly to recommend to every one of you, that in case the said ship, which is now expected to be soon in the European seas on her return, should happen to fall into your hands, you would not consider her as an enemy, nor suffer any plunder to be made of the effects contained in her, nor obstruct her immediate return to England, by detaining her or sending her into any other part of Europe or to America, but that you would treat the said Captain Cook and his people with all civility and kindness, affording them, as common friends to mankind, all the assistance in your power, which they may happen to stand in need of. In so doing you will not only gratify the generosity of your own dispositions, but there is no doubt of your obtaining the approbation of the congress, and your other American owners. I have the honor to be, Gentlemen, your most obedient humble servant,

B. FRANKLIN,
Minister Plenipotentiary from the congress of the United States to the court of France.

Given at Passy, near Paris,
this 10th day of March, 1779.

finding that the information he had published was false, addressed a letter to the editor of the Gentleman's Magazine, in September, 1795, and therein publicly acknowledged his mistake. Indeed the magnanimous proceeding of Dr. Franklin in granting the passport was so well known in England, and the sentiments it manifested so much approved by the British government itself, that, when Cook's Voyage was printed, the admiralty board sent a copy of the work, in three volumes quarto, to Dr. Franklin, accompanied with the elegant collection of plates, and a very polite letter from Lord Howe, signifying, that the present was made with the king's express approbation: and the Royal Society having, in honor of that illustrious navigator, one of their members, struck some gold medals to be distributed among his friends and the friends of his voyage, one of those medals was also sent to Dr. Franklin, by order of the society, together with a letter from their president, Sir Joseph Banks, expressing likewise, that it was sent with the approbation of the king.

Another opportunity occurred some time after, for Dr. Franklin to give an additional proof of his benevolence; of which he availed himself, in granting a similar protection to a vessel sent with provisions and clothing, as a charitable donation from the citizens of Dublin to certain sufferers in the West Indies.[1]

[1] See PRIVATE CORRESPONDENCE, 2d Ed. Vol. 1. p. 72.

In short, Dr. Franklin, through life, let no opportunity escape him, either in a public or private situation, in which, by any act of his, he could be useful to his fellow-creatures, whether friends or enemies.

No one who did not witness it, can conceive how much his reputation as a philosopher, and his situation as American minister, subjected him to the applications of projectors, speculators, and adventurers of all descriptions. The following memorandums of only one day's annoyance of this nature, taken from a little journal he kept, may tend to give some idea of it.

"Passy, Sunday, Dec. 13, 1778. A. M.

"A man came to tell me he had invented a machine, which would go of itself, without the help of a spring, weight, air, water, or any of the elements, or the labor of man or beast, and with force sufficient to work four machines for cutting tobacco; that he had experienced it; would show it me if I would come to his house, and would sell the secret of it for two hundred louis. I doubted it, but promised to go to him in order to see it.

"A Mons. Coder came with a proposition in writing, to levy 600 men, to be employed in landing on the coast of England and Scotland, to burn and ransom towns and villages, in order to put a stop to the English proceedings in that way in America. I thanked him, and told him I could not approve it, nor had I any money at command for such purposes; moreover, that it would not be permitted by the government here.

"A man came with a request that I would patronise and recommend to government, an invention he had, whereby a hussar might so conceal his arms and habiliments, with provision for twenty-four hours, as to appear a common traveller; by which means a considerable body might be admitted into a town, one at a time, unsuspected, and afterwards assembling, surprise it. I told him I was not a military man, of course no judge of such matters, and advised him to apply to the *Bureau de la Guerre.* He said he had no friends, and so could procure no attention.—The number of wild schemes proposed to me is so great, and they have heretofore taken so much of my time, that I begin to reject all, though possibly *some* of them may be worth notice.

"Received a parcel from an unknown philosopher,[1] who submits to my consideration a memoir on the subject of *elementary fire*, containing experiments in a dark chamber. It seems to be well written, and is in English, with a little tincture of French idiom. I wish to see the experiments, without which I cannot well judge of it."

About the commencement of the year 1781, Dr. Franklin, from his age, infirmities, and the confinement of business, began to be weary of his situation as minister at the court of France, and requested leave to retire; as will appear by the following extract from one of his public dispatches to the president of congress.

Passy, 12*th March*, 1781.

——"I must now beg leave to say something relating to myself, a subject with which I have not

[1] Afterwards discovered to be *Marat*, of subsequent notorious memory.

often troubled the congress. I have passed my 75th year, and I find that the long and severe fit of the gout which I had the last winter, has shaken me exceedingly, and I am yet far from having recovered the bodily strength I before enjoyed. I do not know that my mental faculties are impaired; perhaps I shall be the last to discover that; but I am sensible of great diminution in my activity, a quality I think particularly necessary in your minister at this court. I am afraid, therefore, that your affairs may some time or other suffer by my deficiency. I find also that the business is too heavy for me, and too confining. The constant attendance at home, which is necessary for receiving and accepting your bills of exchange, (a matter foreign to my ministerial functions) to answer letters, and perform other parts of my employment, prevent my taking the air and exercise which my annual journies formerly used to afford me, and which contributed much to the preservation of my health. There are many other little personal attentions which the infirmities of age render necessary to an old man's comfort, even perhaps in some degree to the continuance of his existence, and with which business often interferes. I have been engaged in public affairs, and enjoyed public confidence, in some shape or other, during the long term of *fifty years*, an honor sufficient to satisfy any reasonable ambition; and I have now no other left but the repose, which I hope the congress will grant me, by send-

ing some person to supply my place. At the same time I beg they may be assured, that it is not any the least doubt of their success in the glorious cause, nor any disgust received in their service, that induces me to decline it, but purely and simply the reasons above mentioned. And as I cannot at present undergo the fatigues of a sea voyage (the last having been almost too much for me), and would not again expose myself to the hazard of capture and imprisonment in this time of war, I purpose to remain here at least till the peace; perhaps it may be for the remainder of my life; and if any knowledge or experience I have acquired at this court may be thought of use to my successor, I shall freely communicate it, and assist him with any influence I may be supposed to have, or counsel that may be desired of me."[1]

The congress refused to comply with this request, which Dr. Franklin thus notices in a letter to a friend.

August 24, 1781.

——"The congress have done me the honor to refuse accepting my resignation, and insist on my continuing in their service till the peace. I must therefore buckle again to the business, and thank God that my health and spirits are of late improved. I fancy it may have been a double mortification to

[1] For the remainder of this letter, see PRIVATE CORRESPONDENCE, 2d Ed. vol. 1. p. 76.

those enemies you have mentioned to me, that I should ask as a favor what they hoped to vex me by taking from me; and that I should nevertheless be continued. But these sort of considerations should never influence our conduct. We ought always to do what appears best to be done, without much regarding what others may think of it. I call this continuance an honor, and I really esteem it to be greater than my first appointment, when I consider that all the interest of my enemies, united with my own request, were not sufficient to prevent it."

In consequence of this decision of the congress, Dr. Franklin thought it his duty to continue in his situation, in spite of all personal considerations; and did so for many years after, to the great advantage of his country.

A friend of Dr. Franklin's having written to him to urge his continuance as minister, and making him some flattering compliments on the occasion, the Doctor thus replied:

——" Your comparison of the *key-stone of an arch* is very pretty, tending to make me content with my situation. But I suppose you have heard our story of the *harrow:* if not, here it is. A farmer in our country sent two of his servants to borrow one of a neighbor, ordering them to bring it between them on their shoulders. When they came to look at it, one of them, who had much wit and cunning, said,

What could our master mean by sending only two men to bring this harrow? no two men upon earth are strong enough to carry it. Poh! said the other, who was vain of his strength, what do you talk of two men? one man may carry it: help it upon my shoulders and you shall see. As he proceeded with it, the wag kept exclaiming, Zounds! how strong you are! I could not have thought it. Why, you are a Samson! There is not such another man in America. What amazing strength God has given you! But you will kill yourself! Pray put it down and rest a little, or let me bear a part of the weight. No, no, said he, being more encouraged by the compliments than oppressed by the burden: you shall see I can carry it quite home. And so he did.—In this particular, I am afraid my part of the imitation will fall short of the original."

A considerable sensation was occasioned about this time, both in America and Europe, by the treachery of the American general, ARNOLD. As accounts then and since have greatly differed with respect to some of the causes and circumstances relative to it, the following extracts from letters written (shortly after the occurrence) to Dr. Franklin, from two of his correspondents in America, may perhaps elucidate that extraordinary event, which had nearly proved fatal to the best interests of America.

"*Newport, Rhode Island, dated Oct.* 10, 1780.

"By this ship you will receive an account of the treason and apostacy of one of our greatest generals, (who went over from us to the enemy 25th September last,) and the happy detection of it before the treason was carried into execution. General Arnold has buried all his military glory, and sent his name down in history execrated with contempt and infamy. He will be despised not only by us in the United States, but by all the nations of Europe, and in all future ages. There is reason to believe that he meditated, with the reduction of West Point on the 27th September, the betraying, at the same time, of General Washington and the minister of France, into the hands of the enemy: for his excellency the Chevalier de la Luzerne told me, that passing through West Point on his way hither on the 24th, the day before the detection, General Arnold importuned him even to indecency to tarry and rest there four or five days. And Arnold also knew that General Washington would meet there about the same time on his return from an interview with the French officers at Hartford. General Arnold is a loss. But America is so fertile in patriots, that we can afford to lose a distinguished patriot or two every year, without any essential injury to the glorious cause of *liberty* and *independence*. The greatest injury he can do us will be in information. However, the present state of the American army is now so good, as that the most thorough knowledge of it will rather do us benefit than an injury. The seasonable execution of Major André (the seducer), adjutant-general of the British army, on the 2d instant, will probably deter such adventurers for the future.

"Congress, and the assemblies through the states, continue firm and unshaken; and they have a cordial support in the union of the main body of the people at large, notwithstanding the efforts of *tories* and governmental connexions intermixed in

all parts, whose Sysiphean labors only pull ruin upon themselves.

"The storm still blows heavy. But our ship will ride it through. With joy we look forward, and with undoubting assurance anticipate the sweets and the final triumph of American liberty."

Philadelphia, dated 12th Oct. 1780.

"The late providential discovery of *Arnold's Plot*, which appears to have been for a considerable time in agitation, has induced a belief that Rodney had something further in view than merely counteracting the design of the Comte de Guichen.

"In a controversy and revolution such as this, where former friendships and intimacies subsisted between the contending parties, and where men of upright intentions took different sides, and men of all characters were engaged in the contest, it would not have been strange or uncommon if conspiracies had been formed; but to the honor of the American army, ARNOLD is the first, and it is believed the only American officer, who has, during this war, entered into a conspiracy to betray his country. You know the character of the man: he was brave but avaricious, fond of parade, and not very scrupulous about the means of acquiring money to defray the expenses of it. He had married a young woman who had been distinguished by General Howe's *Meschianzi Knights*, and her father was not remarkable for his attachment to the American cause. The expensive manner in which Arnold lived in Philadelphia reduced his finances, and the accounts he exhibited against the public underwent a scrutiny at the board of treasury, not much to the advantage of his *honor* and *honesty;* which, joined to his disappointment in the case of the *Active*, and the result of the court-martial instituted on the complaint of the council of Pennsylvania, soured his temper, and ren-

dered him a fit object for Clinton's views. By letters found among his private papers, it appears that Captain André, one of Sir H. Clinton's aids, had commenced a correspondence with Mrs. Arnold in 1779, under pretence of supplying her with millinery: whether it was continued till it was ripened into the plot of betraying West Point into the hands of the enemy, I will not undertake to say; but that the scheme had been some time in agitation, appears evidently from this, that while the enemy were making preparations for executing their purpose, and giving out that their design was against Virginia, the same reports were circulated in Lord Cornwallis's camp in South Carolina, and measures were taken to make us believe he meant to second the expedition, by marching through North Carolina, and forming a junction with Sir Henry on his arrival in Virginia. At this time Rodney arrived at New York, and it is conjectured the design was, as soon as they had gained possession of West Point, and cut off the communication between the western and southern states, to turn their whole force against the French fleet at Rhode Island. This it is true is but conjecture, but it must be confessed the object was great; and had Rodney succeeded, he would have finished the year with as much *éclat* as he began it. The providential discovery of the plot blasted the schemes of our enemies.

The annexed, a specimen of American poetry, well describes the popular feeling on the occasion.

ON GENERAL ARNOLD.

At Freedom's call, see Arnold take the field,
With honor blazon'd on his patriot shield:
His gallant feats a dazzling lustre spread;
And circling glories beam'd around his head.
His well-earn'd praises were consign'd to fame;
And fate decreed him an immortal name.

But when, estrang'd from freedom's glorious cause,
Neglecting honor, and its sacred laws,
Impell'd by motives of the basest kind,
Which mark the vicious, mean, degen'rate mind—
To virtue lost, and callous to disgrace—
The traitor hiding with the hero's face—
His canker'd heart, to sordid views a slave,
To mammon yielding all that freedom gave,
Enleagu'd with friends of that detested tribe—
Whose god is gold, whose saviour is a bribe—
Could basely join, his country to betray,
And thus restore a ruthless tyrant's sway—
On freedom's sons impose the galling yoke,
And crush each foe to vice beneath the stroke;
Not all his laurels in the field obtain'd,
Not that which Philip's son by conquest gain'd;
Not all that once adorn'd great Cæsar's brow,
Nor all that Washington may challenge now—
Could save a wretch, whom crimes like these debase
So far beneath the rank of human race:
But stung with keen remorse, his guilty soul
In vain shall seek repose from pole to pole;
Perpetual anguish shall torment his breast,
And hellish demons haunt his troubled rest:
Not even death shall shield his hated name,
For still the caitiff shall survive to fame,
By fate's decree—who thus pronounc'd his lot:
"Too bad to die, too base to be forgot—
Thy crimes succeeding ages shall proclaim,
And JUDAS be forgot in ARNOLD'S name."

October, 1780.

The following letter from Dr. Franklin to the Marquis de la Fayette, then serving in the American army, also makes mention of Arnold's treason, and hints at the *price* or *reward* he received from the British government for his treachery. This letter will also be found interesting in other respects.

To the Marquis de la Fayette.

Dear Sir, *Passy, May* 14, 1781.

You are a very good correspondent, which I do not deserve, as I am a bad one. The truth is I have too much business upon my hands, a great deal of it foreign to my function as a minister, which interferes with my writing regularly to my friends. But I am nevertheless extremely sensible of your kindness in sending me such frequent and full intelligence of the state of affairs on your side of the water, and in letting me see, by your letters, that your health continues, as well as your zeal, for our cause and country.

I hope that by this time the ship which has the honor of bearing your name, is safely arrived. She carries clothing for near 20,000 men, with arms, ammunition, &c. which will supply some of your wants; and Colonel Laurens will bring a considerable addition, if Providence favors his passage. You will receive from him the particulars, which makes my writing more fully by him unnecessary.

Your friends have heard of your being gone

against the traitor ARNOLD, and are anxious to hear of your success, and that you have brought him to punishment. Enclosed is a copy of a letter from his agent in England,[1] captured by one of

[1] Copy of letter from Mr. Meyrick, army agent in London, to General Arnold.

SIR, *Parliament Street, Jan.* 30, 1781.

I am honored with your several letters enclosing bills on Harley and Drummond to the amount of 5000l., the receipt of which I have regularly by packet acknowledged. On the day they were paid I invested the amount in the fund you mentioned, and it was a very favorable time. I flatter myself it will meet your approbation, also the mode in which it was done.

As it is possible some directions might come from you for disposing of the money in some other mode, I thought it might not be so advantageous to lock it up totally, as it might be a long while before I could receive a power of attorney from you to transfer, had I put it in your name; and meantime the dividend could not be received for your use. The mode I have adopted has been used in like cases, and can be instantly altered to any you direct, on your favoring me with a letter.

The account is as follows, viz.

Bought by Samuel and William Scholey, stock-brokers, for Major-General Arnold, 7000l. stock, in new 4 per cents. a. 71¼, as follows:—

In name of Major-General Benedict Arnold.

100*l.* stock a. 71¼ new 4 per cent. consols. } 6900*l.* stock a. 71¼ in name of James Meyrick, Esq. }	Paid £4987	10 0
7000*l.*		
Commission paid to brokers	8 15	0
Letter of attorney to receive dividends	0 1	6
	£4996 6	6

our cruisers, and by which the price or reward he received for his treachery may be guessed at. Judas sold only one man, Arnold three millions. Judas got for his one man thirty pieces of silver; Arnold not a halfpenny a head. A miserable

There then remains of the 5000*l.* three pounds thirteen shillings and sixpence.

Thus, by this method, if I receive any instructions from you for employing your money in a different manner, I can sell out the 6900*l.*, and dispose of your money agreeable to your directions before this letter reaches you; and, if it is your wish that it should remain in the funds, it can be placed under your name by my transferring the 6,900*l.* and joining it to your 100*l.* The reason of my purchasing the latter sum in your name was, that you might have an account open. Also, the power of attorney now enclosed, will enable me to receive the dividends on the whole 7000*l.* stock, after I have made the transfer, should you choose I should do so. I hope I have made myself properly understood, and can assure you I have, to the best of my abilities, acted for you as myself. I have the honor to be, Sir, your obedient, and most humble servant,

JAMES MEYRICK.

Major-General Arnold.

N.B.—In addition to this supposed purchase-money of the general himself, the following pensions were afterwards granted to his family. By warrant dated July 20, 1783.

To Edward Shippen, James Robertson, George, and Sophia Matilda } ARNOLD - - - 400*l.*

By warrant dated 12th June, 1805.

To Sophia Matilda ARNOLD - - - 100*l.*

bargain! especially when one considers the quantity of infamy he has acquired to himself, and entailed on his family.

The English are in a fair way of gaining still more enemies: they play a desperate game. Fortune may favor them as it sometimes does a drunken dicer. But by their tyranny in the East they have at length roused the powers there against them; and I do not know that they have in the West a single friend. If they lose their India commerce, (which is one of their present great supports,) and one battle at sea, there credit is gone, and their power follows. Thus empires by pride, folly, and extravagance, ruin themselves like individuals. M. la Mote Piquet has snatched from between their teeth a good deal of their West India prey, having taken twenty-two sail of their homeward-bound prizes. One of our American-privateers has taken two more, and brought them into Brest, and two were burnt: there were thirty-four in company, with two men of war of the line and two frigates, who saved themselves by flight; but we do not hear of their being yet got in.

I think it was a wise measure to send Colonel Laurens here, who could speak knowingly of the state of the army. It has been attended with all the success that perhaps could reasonably be expected, though not with all that was wished. He has fully justified your character of him, and returns thoroughly possessed of my esteem; but

that cannot and ought not to please him so much as a little more money would have done for his beloved army. This court continues firm and steady in its friendship, and does every thing it can for us. Can we not do a little more for ourselves? My successor (for I have desired the congress to send me one) will find it in the best disposition towards us, and I hope he will take care to cultivate that disposition. You, who know the leading people of both countries, can perhaps judge better than any member of the congress of a person suitable for this station. I wish you may be in the way to give your advice when the matter is agitated in that assembly. I have been long tired of the trade of minister, and wished for a little repose before I went to sleep for good and all. I thought I might have held out till the peace; but as that seems at a greater distance than the end of my days, I grow impatient. I would not, however, quit the service of the public, if I did not sincerely think that it would be easy for the congress, with your counsel, to find a fitter man. God bless you, and crown all your labors with success. With the highest regard and most sincere affection, I am, dear Sir, &c. &c.

B. FRANKLIN.

Notwithstanding Dr. Franklin's various and important occupations, he occasionally amused himself in composing and printing, by means of a small set of types, and a press he had in his house,

several of his light essays, *bagatelles*, or *jeu d'esprit*, written chiefly for the amusement of his intimate friends.[1] Among these were the following, printed on a half sheet of coarse paper, so as to imitate, as much as possible, a portion of a Boston newspaper.

The repeated accounts received from America of the horribly cruel manner in which the Indian allies of Great Britain prosecuted the war against the peaceable inhabitants of the United States; murdering defenceless farmers, with their wives and children, and carrying off their scalps for the reward promised in proportion to the number, (said already to have amounted to *two thousand*,)[2] was the foundation of the first fictitious article in this pretended "SUPPLEMENT *to the Boston Independent Chronicle*."

The other article is a *jeu d'esprit* of a gayer turn, originating from a memorial of the British ambassador, Sir Joseph Yorke, reclaiming the king's ships the *Serapis* and *Countess of Scarborough*, prizes carried into Holland by the American squadron under Commodore Jones; whom Sir Joseph in his Memorial designated "the *Pirate* Paul Jones of Scotland; a rebel subject, and a criminal of the state."

[1] Several of these will be given in the Selection of his WRITINGS, to follow these Memoirs.

[2] See Letter to Mr. Hutton, of July 7, 1782, PRIV. CORR. Part I.

The deception intended by this supposed "SUPPLEMENT," (which was very accurately imitated with respect to printing, paper, the insertion of advertisements, &c.) was, that by transmitting it to England, it might actually be taken for what it purported to be, and the two prominent articles contained in it, consequently, copied into the English papers, as genuine intelligence from America.

The end proposed thereby, was to shame the British government. It is uncertain whether this artifice succeeded as well as a similar one of Dr. Franklin's, the "*Prussian Edict*," did, as related in his PRIVATE CORRESPONDENCE.[1]

The following is a copy of the present intended deception, as printed; with the omission only of the advertisements, and some of the names, titles, and epithets, in the latter article.

Number 705.

SUPPLEMENT

TO THE

BOSTON INDEPENDENT CHRONICLE.

Boston, March 12, 1782.

Extract of a Letter from Capt. Gerrish, *of the* New England *Militia, dated* Albany, March 7.

THE Peltry taken in the expedition [*See the account of the expedition to* Oswegatchie *on the river* St. Laurence,

[1] Part II. Letter to Governor Franklin, Oct. 6, 1773.

in our paper of the 1st *instant*], will, as you see, amount to a good deal of money. The possession of this booty at first gave us pleasure; but we were struck with horror to find among the packages eight large ones containing SCALPS of our unhappy country-folks, taken in the three last years by the Senneka Indians from the inhabitants of the frontiers of New York, New Jersey, Pennsylvania, and Virginia, and sent by them as a present to Col. Haldimand, governor of Canada, in order to be by him transmitted to England. They were accompanied by the following curious letter to that gentleman.

Teoga, Jan. 3d, 1782.

May it please your Excellency,

At the request of the Senneka chiefs I send herewith to your excellency, under the care of James Boyd, eight packs of scalps, cured, dried, hooped, and painted, with all the Indian triumphal marks, of which the following is invoice and explanation:

No. 1. Containing 43 scalps of congress soldiers, killed in different skirmishes: these are stretched on black hoops, four inches diameter; the inside of the skin painted red, with a small black spot to note their being killed with bullets. Also 62 of farmers, killed in their houses: the hoops red; the skin painted brown, and marked with a hoe; a black circle all round, to denote their being surprised in the night; and a black hatchet in the middle, signifying their being killed with that weapon.

No. 2. Containing 98 of farmers killed in their houses: hoops red; figure of a hoe, to mark their profession; great white circle and sun, to show they were surprised in the daytime; a little red foot, to show they stood upon their defence, and died fighting for their lives and families.

No. 3. Containing 97 of farmers; hoops green, to show they were killed in their fields; a large white circle with a little round mark on it for the sun, to show that it was in the day-time; black bullet-mark on some, hatchet on others.

No. 4. Containing 102 of farmers, mixed, of the several marks above; only 18 marked with a little yellow flame, to denote their being of prisoners burnt alive, after being scalped, their nails pulled out by the roots, and other torments: one of these latter supposed to be a rebel clergyman, his band being fixed to the hoop of his scalp. Most of the farmers appear by the hair to have been young or middle-aged men; there being but 67 very grey heads among them all; which makes the service more essential.

No. 5. Containing 88 scalps of women; hair long, braided in the Indian fashion, to show they were mothers; hoops blue; skin yellow ground, with little red tadpoles, to represent, by way of triumph, the tears or grief occasioned to their relations: a black scalping-knife or hatchet at the bottom, to mark their being killed with those instruments. 17 others, hair very grey; black hoops; plain brown color; no mark, but the short club or cassetete, to show they were knocked down dead, or had their brains beat out.

No. 6. Containing 193 boys' scalps, of various ages; small green hoops; whitish ground on the skin, with red tears in the middle, and black bullet-marks, knife, hatchet, or club, as their deaths happened.

No. 7. 211 girls' scalps, big and little; small yellow hoops; white ground; tears; hatchet, club, scalping-knife, &c.

No. 8. This package is a mixture of all the varieties abovementioned, to the number of 112; with a box of birch bark, containing 29 little infants' scalps of various sizes;

small white hoops; white ground; no tears; and only a little black knife in the middle, to show they were ript out of their mothers' bellies.

With these packs the chiefs send to your excellency the following speech, delivered by Conejogatchie in council, interpreted by the elder Moore, the trader, and taken down by me in writing.

Father,

We send you herewith many scalps, that you may see we are not idle friends.

A blue Belt.

Father,

We wish you to send these scalps over the water to the great king, that he may regard them and be refreshed; and that he may see our faithfulness in destroying his enemies, and be convinced that his presents have not been made to ungrateful people.

A blue and white Belt with red Tassels.

Father,

Attend to what I am now going to say: it is a matter of much weight. The great king's enemies are many, and they grow fast in number. They were formerly like young panthers: they could neither bite nor scratch: we could play with them safely: we feared nothing they could do to us. But now their bodies are become big as the elk, and strong as the buffalo: they have also got great and sharp claws. They have driven us out of our country for taking part in your quarrel. We expect the great king will give us another country, that our children may live after us, and

be his friends and children, as we are. Say this for us to the great king. To enforce it, we give this belt.

A great white Belt with blue Tassels.

Father,

We have only to say farther, that your traders exact more than ever for their goods: and our hunting is lessened by the war, so that we have fewer skins to give for them. This ruins us. Think of some remedy. We are poor: and you have plenty of every thing. We know you will send us powder and guns, and knives and hatchets: but we also want shirts and blankets.

A little white Belt.

I do not doubt but that your excellency will think it proper to give some farther encouragement to those honest people. The high prices they complain of are the necessary effect of the war. Whatever presents may be sent for them through my hands shall be distributed with prudence and fidelity. I have the honor of being

Your Excellency's most obedient
And most humble servant,
JAMES CRAUFURD.

It was at first proposed to bury these scalps: but Lieutenant Fitzgerald, who you know has got leave of absence to go to Ireland on his private affairs, said he thought it better they should proceed to their destination; and if they were given to him, he would undertake to carry them to England, and hang them all up in some dark night on the trees in St. James's Park, where they could be seen from the king and queen's palaces in the morning; for that the sight of them might perhaps strike Muley Ishmael (as he called him)

with some compunction of conscience. They were accordingly delivered to Fitz, and he has brought them safe hither. To-morrow they go with his baggage in a waggon for Boston, and will probably be there in a few days after this letter.

I am, &c.

SAMUEL GERRISH.

Boston, March 20.

Monday last arrived here Lieutenant Fitzgerald abovementioned, and yesterday the waggon with the scalps. Thousands of people are flocking to see them this morning, and all mouths are full of execrations. Fixing them to the trees is not approved. It is now proposed to make them up in decent little packets, seal and direct them; one to the king, containing a sample of every sort for his museum; one to the queen, with some of women and little children: the rest to be distributed among both houses of parliament: a double quantity to the bishops.

Mr. Willis,

Please to insert in your useful paper the following copy of a letter from Commodore Jones, directed

*To Sir J. Y*****, &c. &c.*

Ipswich, New England,

SIR, *March 7,* 1781.

I HAVE lately seen a memorial said to have been presented by your excellency to their high mightinesses the States General, in which you are pleased to qualify me with the title of *pirate.*

A pirate is defined to be *hostis humani generis* [an enemy to all mankind]. It happens, sir, that I am an enemy to no part of mankind, except your nation, the English; which

nation at the same time comes much more within the definition, being actually an enemy to, and at war with, one whole quarter of the world: America, considerable part of Asia and Africa, a great part of Europe, and in a fair way of being at war with the rest.

A pirate makes war for the sake of *rapine*. This is not the kind of war I am engaged in against England. Ours is a war in defence of *liberty*—the most just of all wars; and of our *properties*, which your nation would have taken from us, without our consent, in violation of our rights, and by an armed force. Yours, therefore, is a war of *rapine;* of course, a piratical war: and those who approve of it, and are engaged in it, more justly deserve the name of *pirates*, which you bestow on me. It is indeed a war that coincides with the general spirit of your nation. Your common people in their ale-houses sing the twenty-four songs of Robin Hood, and applaud his deer-stealing and his robberies on the highway: those who have just learning enough to read, are delighted with your histories of the pirates and of the buccaniers: and even your scholars in the universities, study Quintus Curtius, and are taught to admire Alexander, for what they call "his conquests in the Indies." Severe laws and the hangman keep down the effects of this spirit somewhat among yourselves (though in your little island you have, nevertheless, more highway robberies than there are in all the rest of Europe put together): but a foreign war gives it full scope. It is then that, with infinite pleasure, it lets itself loose to strip of their property honest merchants, employed in the innocent and useful occupation of supplying the mutual wants of mankind. Hence, having lately no war with your ancient enemies, rather than be without a war, you chose to make one upon your friends. In this your piratical war with America, the mariners of your fleets and the owners of your

privateers were animated against us by the act of your parliament, which repealed the law of God—"Thou shalt not steal,"—by declaring it lawful for them to rob us of all our property that they could meet with on the ocean. This act too had a retrospect, and, going beyond bulls of pardon, declared that all the robberies you *had committed* previous to the act, should be *deemed just and lawful.* Your soldiers too were promised the plunder of our cities: and your officers were flattered with the division of our lands. You had even the baseness to corrupt our servants, the sailors employed by us, and encourage them to rob their masters, and bring to you the ships and goods they were intrusted with. Is there any society of pirates on the sea or land, who, in declaring wrong to be right, and right wrong, have less authority than your parliament? Do any of them more justly than your parliament deserve the *title* you bestow on me?

You will tell me that we forfeited all our estates by our refusal to pay the taxes your nation would have imposed on us without the consent of our colony parliaments. Have you then forgotten the incontestable principle, which was the foundation of Hampden's glorious lawsuit with Charles the First, that "what an English king has no right to demand, an English subject has a right to refuse?" But you cannot so soon have forgotten the instructions of your late honorable father, who, being himself a sound whig, taught you certainly the principles of the revolution, and that, "if subjects might in some cases forfeit their property, kings also might forfeit their title, and all claim to the allegiance of their subjects." I must then suppose you well acquainted with those whig principles; on which permit me, sir, to ask a few questions.

Is not protection as justly due from a king to his people, as obedience from the people to their king?

If then a king declares his people to be out of his protection:

If he violates and deprives them of their constitutional rights:

If he wages war against them:

If he plunders their merchants, ravages their coasts, burns their towns, and destroys their lives:

If he hires foreign mercenaries to help him in their destruction:

If he engages savages to murder their defenceless farmers, women, and children:

If he cruelly forces such of his subjects as fall into his hands, to bear arms against their country, and become executioners of their friends and brethren:

If he sells others of them into bondage, in Africa and the East Indies:

If he excites domestic insurrections among their servants, and encourages servants to murder their masters:—

Does not so atrocious a conduct towards his subjects dissolve their allegiance?

If not,—please to say how or by what means it can possibly be dissolved?

All this horrible wickedness and barbarity has been and daily is practised by the **** *your master* (as you call him in your memorial) upon the Americans, whom he is still pleased to claim as his subjects.

During these six years past, he has destroyed not less than forty thousand of those subjects, by battles on land or sea, or by starving them, or poisoning them to death, in the unwholesome air, with the unwholesome food of his prisons. And he has wasted the lives of at least an equal number of his own soldiers and sailors; many of whom have been *forced* into this odious service, and *dragged* from their families and friends, by the outrageous violence of his illegal press-gangs.

You are a gentleman of letters, and have read history: do you recollect any instance of any tyrant, since the beginning of the world, who, in the course of so few years, had done so much mischief, by **********? Let us view one of the worst and blackest of them, *Nero*. He put to death a few of his courtiers, placemen, and pensioners, and among the rest his *tutor*. Had ****** *** ***** done the same, and no more, his crime, though detestable, as an act of lawless power, might have been as useful to his nation, as that of Nero was hurtful to Rome; considering the different characters and merits of the sufferers. Nero indeed wished that the people of Rome had but one neck, that he might behead them all by one stroke: but this was a simple wish. ****** is carrying the wish as fast as he can into execution; and, by continuing in his present course a few years longer, will have destroyed more of the ******* people than Nero could have found inhabitants in Rome. Hence the expression of Milton, in speaking of Charles the First, that he was "*Nerone Neronior*," is still more applicable to ****** *** *****. Like Nero and all other tyrants, while they lived, he indeed has his flatterers, his addressers, his applauders. Pensions, places, and hopes of preferment, can bribe even bishops to approve his conduct: but, when those fulsome purchased addresses and panegyrics are sunk and lost in oblivion or contempt, impartial history will step forth, speak honest truth, and rank him among public calamities. The only difference will be, that plagues, pestilences, and famines are of this world, and arise from the nature of things: but voluntary malice, mischief, and murder, are from hell: and this **** will, therefore, stand foremost in the list of diabolical, bloody, and execrable tyrants. His base-bought parliaments too, who sell him their souls, and extort from the people the money with which they aid his destructive purposes, as they share his guilt, will share his

infamy,—parliaments, who, to please him, have repeatedly, by different votes year after year, dipped their hands in human blood, insomuch that methinks I see it dried and caked so thick upon them, that if they could wash it off in the Thames, which flows under their windows, the whole river would run red to the ocean.

One is provoked by enormous wickedness; but one is ashamed and humiliated at the view of human baseness. It afflicts me, therefore, to see a gentleman of Sir J. Y.'s education and talents, for the sake of a red riband and a paltry stipend, mean enough to style such a * * * * * * * *his master*, wear his livery, and hold himself ready at his command even to cut the throats of fellow-subjects. This makes it impossible for me to end my letter with the civility of a compliment, and obliges me to subscribe myself simply,

JOHN PAUL JONES,[1]

whom you are pleased to style a *pirate*.

[1] *Anecdote of Paul Jones.*—After Jones's crew had landed at Lord Selkirk's, stripped the house of the plate, and taken it on board, the ship lay-to, while Jones wrote a letter to his lordship, which he sent on shore. In this letter he candidly acknowledged that he meant to have seized him, and to have detained him as a person of much consequence to him in case of a cartel; but disclaimed any concern in taking away his plate; which, he said, was done by the crew, in spite of his remonstrances; who said they were determined to be repaid for the hardships and dangers they had encountered in Kirkcudbright Bay, and in attempting to set fire, a few days before, to the shipping in the harbor of Whitehaven. Jones however informed his lordship, that he had secured all the plate, and would certainly return it to him at a convenient opportunity. This he afterwards punctually performed, by sending it to Lord Selkirk's banker, in

Dr. Franklin had a great opinion of the effects to be produced by suitable writings in the public prints, as will appear from the following letter to Dr. Price.

Passy, June 13, 1782.

* * * * * *

—" I congratulate you on the late revolution in your public affairs. Much good may arise from it, though possibly not all that good men, and even the new ministers themselves, may have wished or expected. The change, however, in the sentiments of the nation, in which I see evident effects of your writings, with those of our deceased friend Mr. Burgh, and others of our valuable club, should encourage you to proceed. The ancient Roman and Greek orators could only speak to the number of citizens capable of being assembled within the reach of their voice; their *writings* had little effect, because the bulk of the people could not read. Now by the press we can speak to nations; and good books, and well-written pamphlets, have great and general influence. The facility with which the same truths may be repeatedly enforced by placing them in different lights, in *newspapers* which are everywhere read, gives a

London. Any person who doubts the fact, may be convinced of its reality, by referring to the addenda to Gilpin's Tour to the Lakes of Scotland, where they will find it authenticated by Lord Selkirk himself.

great chance of establishing them. And we now find, that it is not only right to strike while the iron is hot, but that it is very practicable to heat it by continual striking."

* * * * * *

In the month of June, 1782, Mr. Jones, afterwards Sir William Jones, so eminently distinguished for his virtues, genius, and learning, came to Paris, accompanied by the late Mr. Paradise, with the intention of proceeding thence to America. These gentlemen had been long connected by a most intimate friendship, and the object of this journey is stated by Lord Teignmouth (in his life of the former) to have been "*professional*, to procure the restitution of a very large estate of a client and friend, which had been attached by an order of the States, who had threatened the confiscation of the property unless the owner appeared in person to claim it." His lordship adds, "This object is mentioned by Mr. Jones in his correspondence, and his own evidence will be conclusive against some *surmises* and *insinuations*, which were propagated respecting the motives of his intended journey. The irresolution of his friend, increased by indisposition, prevented the execution of the plan, and Mr. Jones, after having procured a passport from Franklin, the American minister at the court of France, returned to England through Normandy and Holland." Of Sir William Jones's

account of his motives for going to America, as given by him to his friends in *England*, the editor has no knowledge; but at *Passy*, where he and Mr. Paradise frequently partook of the hospitalities and conversation of Dr. Franklin, Mr. Jones assigned no other motive for his intended voyage, than that of accompanying his friend, and gratifying his curiosity by seeing a country for whose rights he had been a decided advocate. Mr. Paradise had never been the client of Mr. Jones, notwithstanding their friendship, he having never been engaged in any lawsuit in England, nor had he the smallest need of a lawyer in America, where nothing more was required than his presence to avoid the penalty to which absent proprietors residing in a country at that time *hostile*, were made liable, unless they came to the United States within a limited time; a penalty which Mr. Paradise did in fact avoid, without any lawyer, and even without going to America, until nearly five years after the war had terminated. It could not therefore have been a *professional* object which actuated Sir William Jones in this undertaking; and in fact, by some expressions which *escaped* from him in a conversation with Mr. Jay (one of the American plenipotentiaries), the latter strongly suspected, that the real purpose of this intended visit to the United States, was to endeavor to produce a disposition in persons of influence *there*, to accept a reconciliation with Great Britain, on

terms more favorable, or less humiliating, than those of *absolute independency;* and this suspicion soon after received a strong confirmation in the mind of Mr. Jay, upon his accidentally noticing in a printed account of the then *recent* proceedings of the "*society for constitutional information,*" which had been incautiously put into his hands by Mr. Jones, a communication made by the latter to this society, of his intention to leave England speedily on a *mission* greatly connected with the interests and welfare of his country. As the editor has not been able to procure this publication, he cannot pretend to give any thing more than the *import* of the *words* of this communication, which however made so strong an impression upon Mr. Jay, that he took the first opportunity of writing to his friends in congress, &c. to put them on their guard against any attempts of Mr. Jones for the purpose before-mentioned. Probably this communication gave rise to the "*surmises* and *insinuations*" mentioned by Lord Teignmouth. In fact, Mr. Paradise was not in any want of a lawyer, and especially an *English* lawyer; nor was his estate in Virginia of the magnitude supposed by Lord Teignmouth, nor his finances in such a state as to enable him to defray the expenses of the voyage intended by Mr. Jones, and much less to afford him a compensation for leaving his then *increasing professional business* in England. But whatever may have been Mr. Jones's object in

going to America, the failure of it, by Mr. Paradise's timidity and unwillingness to proceed further, after they had reached Nantes, was so displeasing to Mr. Jones, that it *there* produced a separation, and final termination of all intercourse between these gentlemen during the remainder of their lives.

While at Paris, Mr. Jones put into the hands of Dr. Franklin the following composition, entitled, A Fragment of Polybius, which certainly was well calculated to promote that sort of reconciliation which is supposed to have been the *real* object of his intended voyage to the United States, and which, from its intrinsic merits, as well as the celebrity of the author, will, it is presumed, be acceptable to the readers of these memoirs. If to be considered as a diplomatic document, it is undoubtedly of a very superior cast.—The allusions are evident.

A FRAGMENT OF

POLYBIUS.

From his Treatise *On the Athenian Government.*

* * * * * *

Athens had long been an object of universal admiration, and consequently of envy; her navy was invincible, her commerce extensive; Europe and Asia supplied her with wealth; of her citizens, all were intrepid, many virtuous; but some too much infected with principles unfavorable to freedom. Hence an oligarchy was, in great measure, established; crooked counsels were thought supreme wisdom; and the Athenians, having lost their true relish for their own

freedom, began to attack that of their colonies, and of the states which they had before protected! Their arrogant claims of unlimited dominion had compelled the Chians, Coans, Rhodians, Lesbians, to join with nine other small communities in the *social war*, which they began with inconceivable ardor, and continued with industry surpassing all example, and almost surpassing belief. They were openly assisted by *Mausolus*, king of *Caria*, to whose metropolis the united islands had sent a philosopher, named *Eleutherion*, eminent for the deepest knowledge of nature, the most solid judgment, most approved virtue, and most ardent zeal for the cause of general liberty. The war had been supported for three years with infinite exertions of valor on both sides, with deliberate firmness on the part of the allies, and with unabated violence on the part of the *Athenians*; who had, nevertheless, dispatched commissioners to Rhodes, with intent to propose terms of accommodation; but the states (perhaps too pertinaciously) refused to hear any proposal whatever without a previous recognition of their total independence by the magistrates and people of ATHENS. It was not long after this, that an Athenian, who had been a pupil of Isæus together with Demosthenes, and began to be known in his country as a pleader of causes, was led by some affairs of his clients to the capital of Caria. He was a man unauthorised, unemployed, unconnected; independent in his circumstances as much as in his principles; admitting no governor, under providence, but the laws; and no laws but those which justice and virtue had dictated, which wisdom approved, which his country had freely enacted. He had been known at Athens to the sage Eleutherion; and, their acquaintance being renewed, he sometimes took occasion in their conversations to lament the increasing calamities of war, and to express his eager desire of making a general peace on such terms as *would produce the greatest good from*

the greatest evil; for "this," said he, "would be a work not unworthy of the divine attributes, and if mortals could effect it, they would act like those beneficent beings, whom *Socrates* believed to be the constant friends and attendants of our species."

He added, "As to the united nations, I applaud, admire, and almost envy them: I am even tempted to wish that I had been born a Chian or a Rhodian; but let them be satisfied with the prize of virtue which they have already obtained. I will yield to none of your countrymen, my friend, in my love of *liberty;* but she seems more lovely to my eyes, when she comes hand-in-hand with *peace.* From that union we can expect nothing but the highest happiness of which our nature is capable; and it is an union, which nothing now obstructs but—a mere word.

"Let the confederates be contented with the *substance* of that *independence* which they have asserted, and the *word* will necessarily follow.

"Let them not hurt the natural, and, perhaps, not reprehensible, pride of *Athens,* nor demand any concession that may sink in the eyes of *Greece,* a nation to whom they are and must be united in language, in blood, in manners, in interest, in principles. Glory is to a nation what reputation is to an individual: it is not an empty sound; but important and essential. It will be glorious in Athens to acknowledge her error in attempting to reduce the islands, but an acknowledgment of her inability to reduce them (if she *be* unable) will be too public a confession of weakness, and her rank among the states of Greece will instantly be lowered.

"But, whatever I might advise, if my advice had any chance of being taken, this *I know,* and positively pronounce, that while Athens is Athens, her proud but brave citizens will never *expressly* recognise the independence of the islands: their resources are no doubt exhaustible, but will not be ex-

hausted in the lives of us and of our children. In this resolution all parties agree: I, who am of no party, dissent from them; but what is a single voice in so vast a multitude? Yet the independence of the United States was tacitly acknowledged by the very offer of terms, and it would result in silence from the natural operation of the treaty. An *express* acknowledgment of it is merely *formal* with respect to the allies; but the prejudices of mankind have made it *substantial* with respect to Athens.

"Let this obstacle be removed: it is slight, but fatal; and, while it lasts, thousands and ten thousands will perish. In war much will always depend upon blind chance, and a storm or sudden fall of snow *may* frustrate all your efforts for liberty; but let commissioners from both sides meet, and the islanders, by not insisting on a *preliminary* recognition of independence, will *ultimately* establish it for ever.

"But *independence* is not *disunion*. Chios, Cos, Lesbos, Rhodes, are *united*, but *independent* on each other: they are connected by a common tie, but have different forms and different constitutions. They are gems of various colors and various properties strung in one bracelet. Such an *union* can only be made between states, which, how widely soever they differ in form, agree in one common property, *freedom*. Republics may form *alliances*, but not a *federal union*, with arbitrary monarchies. Were *Athens* governed by the *will* of a monarch, she could never be co-ordinate with the free islands; for such an union would not be dissimilarity but dissonance: but she is and shall be ruled by *laws* alone, that is, by the *will of the people*, which is the *only law*. Her Archon, even when he was *perpetual*, had no essential properties of monarchy. The constitution of Athens, if we must define it, was then *a republic with a perpetual administrator of its laws*. Between *Athens*, therefore, and the freest states in the world, an *union* may naturally be formed.

"There is a *natural* union between her and the islands, which the gods have made, and which the powers of hell cannot dissolve. Men speaking the same idiom, educated in the same manner, perhaps in the same place; professing the same principles; sprung from the same ancestors, in no very remote degree; and related to each other in a thousand modes of consanguinity, affinity, and friendship, such men (whatever they may say through a temporary resentment) can never in their hearts consider one another as *aliens*.

"Let them meet then with fraternal and pacific dispositions, and let this be the *general* groundwork and plan of the treaty.

I.

"The *Carians* shall be included in the pacification, and have such advantages as will induce them to consent to the treaty rather than continue a hazardous war.

II.

"The archon, senate, and magistrates of Athens shall make a complete *recognition of rights* of all the Athenian citizens of all orders whatever, and all former laws for that purpose shall be combined in one. There shall not be one *slave* in Attica.

Note.

"[By making this a *preliminary*, the islanders will show their affection for the people of Athens; their friendship will be cemented and fixed on a solid basis; and *the greatest good will be extracted*, as I at first proposed, *from the greatest evil*.]

III.

"There shall be a perfect *co-ordination* between Athens and the thirteen united islands, they considering her not as a *parent*, whom they must *obey*, but as an elder *sister*, whom they cannot help *loving*, and to whom they shall give *pre-eminence of honor and co-equality of power*.

IV.

"The new constitutions of the confederate islands shall remain.

V.

"On every occasion requiring *acts* for the *general* good, there shall be an assembly of deputies from the senate of Athens and the congress of the islands, who shall fairly adjust the whole business, and settle the ratio of the contributions on both sides. This committee shall consist of fifty islanders and fifty Athenians, or of a smaller number chosen by them.

VI.

"If it be thought necessary and found convenient, a proportionable number of Athenian citizens shall have seats, and power of debating and voting on questions of *common* concern, in the great assembly of the islands, and a proportionable number of islanders shall sit with the like power in the assembly at Athens.

Note.

"[This *reciprocal representation* will cement the union.]

VII.

"There shall be no obligation to make war but for the *common* interest.

VIII.

"Commerce shall flow in a free course, for the *general* advantage of the united powers.

IX.

"An universal unlimited *amnesty* shall be proclaimed in every part of Greece and Asia.

"'This,' said the *Athenian,* 'is the rough sketch of a treaty founded on virtue and liberty. The idea of it still fills and expands my soul; and *if* it cannot be realised, I shall not think it less glorious, but shall only grieve more and more at the perverseness of mankind. May the eternal Being, whom the

wise and the virtuous adore, and whose attribute it is to convert into good that evil which his unsearchable wisdom permits, inspire all ranks of men to promote either this or a similar plan! If this be impracticable, O miserable human nature! But I am fully confident that, if *** more at large ** happiness of all.'

* * * * * *

"No more is extant of this interesting piece, upon which the commentary of the sage Polybius would have been particularly valuable in these times."

This classical and ingenious communication did not divert Dr. Franklin's fixed sentiments respecting the perfect independence of his country, as fully appears by several of his letters written immediately after to America, and particularly in one to Mr. Secretary Livingston, of the 28th June, 1782, wherein he remarks, that the intentions of the British ministry had, for some weeks past, appeared somewhat equivocal and uncertain, and adds: "It looks as if, since their late success in the West Indies, they a little repented of the advances they had made in their declarations respecting the *acknowledgment of our independence;* and we have good information, that some of the ministry still flatter the king with the hope of recovering his sovereignty over us, on the same terms as are now making with Ireland.—However willing we might have been at the commencement of this contest to have accepted such conditions, be assured that we can have no safety in them at present. *The king hates us most cordially.* If

he is once admitted to any degree of power or government amongst us, *however limited*, it will soon be extended by corruption, artifice, and force, till we are reduced to absolute subjection; and the more easily, as by receiving him again for our king, we shall draw upon ourselves the contempt of all Europe, who now admire and respect us; and shall never again find a friend to assist us. There are, as reported, great divisions in the ministry on other points as well as this; and those who aim at engrossing the power, flatter the king with this project of *reunion*; and it is said, have much reliance on the operation of *private agents* sent into America to dispose minds in favor of it, and to bring about a separate treaty there with General Carleton."

Strong suspicions were undoubtedly entertained by some of the American commissioners, that Mr. Jones, under the particular influence of his friend and patron Lord Shelburne (then minister),[1] had really agreed to lend the assistance of his talents and exertions in aid of this object. How far such "*surmises*"

[1] The following anecdote has appeared in an American publication.

"Immediately after the death of Lord Rockingham, the king said to Lord Shelburne, 'I will be plain with you: the point next my heart, and which I am determined, be the consequence what it may, never to relinquish, but with my crown and life, is to prevent a total unequivocal recognition of the independence of America. Promise to support me on this ground, and I will leave you unmolested on every other, and with full power as the prime minister of this kingdom.'—The bargain was struck."

are borne out by what has preceded, is left to public decision. On his return to England, however, Mr. Jones thus expresses his sentiments on the subject of America, in a letter to Lord Althorp, dated Oct. 5, 1782, as given by Lord Teignmouth. "As to *America*, I know not what * * * * * thinks: but this I know, that the sturdy transatlantic yeomanry will neither be *dragooned* nor *bamboozled* out of their liberty."

The negotiations for peace with America had been going on at Passy, either directly or indirectly, ever since the late change of ministry in England. The particulars of the whole of these important transactions, and the letters and documents connected therewith, will be found in PART III. of Dr. Franklin's PRIVATE CORRESPONDENCE; which has been specially allotted to the *Negotiations for Peace and Commerce between Great Britain and the United States of America*, for the reasons already given. In this portion of the memoirs of Dr. Franklin will be seen the very considerable influence which that able statesman and negotiator exercised in bringing about the peace with America, and the final acknowledgment of her independence by Great Britain.

It may not, however, be superfluous or uninteresting here, to insert the following extracts from two letters[1] of Dr. Franklin's, written shortly after the preliminaries were signed, as they give a general

account of the manner in which the peace was brought about, and are expressive of his feelings and sentiments on that auspicious event.

To the Hon. Robert R. Livingston, Esq.

Passy, Dec. 5, 1782.

——You desire to be very particularly acquainted with "*every step which tends to a negotiation.*" I am therefore encouraged to send you the first part of the Journal,[1] which accidents, and a long severe illness, interrupted; but which, from notes I have by me, may be continued if thought proper. In its present state, it is hardly fit for the inspection of congress, certainly not for public view. I confide it therefore to your prudence.

The arrival of Mr. Jay, Mr. Adams, and Mr. Laurens, relieved me from much anxiety, which must have continued if I had been left to finish the treaty alone; and it has given me the more satisfaction, as I am sure the business has profited by their assistance.

Much of the summer was taken up in objecting to the powers given by Great Britain, and in removing those objections. The using any expressions that might imply an *acknowledgment* of our independence, seemed, at first, industriously to be avoided. But our refusing otherwise to treat, at length induced them to get over that difficulty; and then we came to the point of making proposi-

[1] See Priv. Corr. Part III.

tions. Those made by Mr. Jay and me, before the arrival of the other gentlemen, you will find in the paper No. 1.[1] which was sent by the British plenipotentiary to London for the king's consideration. After some weeks, an under-secretary of state, Mr. Strachey, arrived, with whom we had much contestation about the boundaries and other articles which he proposed: we settled some, which he carried to London, and returned with the propositions; some adopted, others omitted or altered, and new ones added; which you will see in paper No. 2.[2] We spent many days in discussing and disputing, and at length agreed on and signed the PRELIMINARIES,[3] which you will receive by this conveyance. The British ministers struggled hard for two points; that the favors granted to the royalists should be extended, and our fishery contracted. We silenced them on the first, by threatening to produce an account of the mischiefs done by those people; and as to the second, when they told us they could not possibly agree to it as we required it, and must refer it to the ministry in London, we produced a new article to be referred at the same time, with a note of facts in support of it, which you have No. 3.[4] Apparently it seemed that, to avoid the discussion of this, they suddenly changed

[1] Priv. Corr. Part III. 8vo. vol. ii. p. 311.

[2] This paper is wanting.

[3] Priv. Corr. Part III. 4to. p. 414.—8vo. vol. ii. p. 301.

[4] Priv. Corr. Part III. 8vo. vol. ii. p. 288.

their minds, dropped the design of recurring to London, and agreed to allow the fishery as demanded.

You will find in the preliminaries some inaccurate and ambiguous expressions that want explanation, and which may be explained in the definitive treaty. And as the British ministry excluded our proposition relating to commerce, and the American prohibition of that with England may not be understood to cease merely by our concluding a treaty of peace, perhaps we may then, if the congress shall think fit to direct it, obtain some compensation for the injuries done us, as a condition of our opening again the trade. Every one of the present British ministry has, while in the minority, declared the war against us *unjust;* and nothing is clearer in reason, than that those who injure others by an unjust war, should make full reparation. They have stipulated, too, in these preliminaries, that in evacuating our towns they shall carry off no plunder, which is a kind of acknowledgment that they ought not to have done it before.

The reason given us for dropping the article relating to commerce, was, that some statutes were in the way, which must be repealed before a treaty of that kind could well be formed; and that this was a matter to be considered in parliament.

They wanted to bring their boundary down to the *Ohio*, and to settle their loyalists in the *Illinois country*. We did not choose such neighbors.

We communicated all the articles, as soon as they were signed, to Mons. le Comte de Vergennes, (except the separate one) who thinks we have managed well, and told me,—that we had settled what was most apprehended as a difficulty in the work of a general peace, by obtaining *the declaration of our independence.*

* * * * * * * *

I am now near entering my seventy-eighth year. Public business has engrossed fifty of them. I wish, for the little time I have left, to be my own master. If I live to see this peace concluded, I shall beg leave to remind the congress of their promise then to dismiss me. I shall be happy to sing with old Simeon, "*Now lettest thou thy servant depart in peace, for mine eyes have seen thy salvation.*"

With great esteem, &c. B. FRANKLIN.

To DR. COOPER.

Passy, Dec. 26, 1782.

* * * * * * * * * *

We have taken some good steps here towards a peace. Our independence is acknowledged; our boundaries as good and extensive as we demanded; and our fishery more so than the congress expected. I hope the whole preliminaries will be approved, and with the definitive treaty, when made, give entire satisfaction to our country. But there are so many interests to be considered between five

nations, and so many claims to adjust, that I can hardly flatter myself to see the peace soon concluded, though I wish and pray for it, and use my best endeavors to promote it.

I am extremely sorry to hear language from Americans on this side the water, and to hear of such language from your side, as tends to hurt the good understanding that has hitherto so happily subsisted between this court and ours. There seems to be a party with you that wish to destroy it. If they could succeed, they would do us irreparable injury. It is our firm connexion with France that gives us weight with England, and respect throughout Europe. If we were to break our faith with this nation, *on whatever pretence*, England would again trample on us, and every other nation despise us. We cannot, therefore, be too much on our guard, how we permit the *private resentments* of particular persons to enter into our public counsels. You will hear much of an intercepted letter communicated to us by the British ministry.[1] The channel ought to be suspected. It may have received additions and alterations; but, supposing it all genuine, the forward, mistaken zeal of a secretary of legation should not be imputed to the king, who has in so many ways proved himself our faithful and firm friend and ally.

In my opinion, the true political interest of Ame-

[1] See PRIVATE CORRESPONDENCE, Part III. p. 324. Vol. ii. 8vo. ed.

rica consists in observing and fulfilling, with the greatest exactitude, the engagements of our alliance with France; and behaving at the same time towards England, so as not entirely to extinguish her hopes of a reconciliation.

I long to see you and my country once more before I die, being ever, my dear friend, yours most affectionately, B. FRANKLIN.

In another part of the preceding letter to the Hon. Rob. R. Livingston, Dr. Franklin thus notices the commencement of the negotiation ordered by congress to be opened with the court of Sweden.

"As soon as I received the commission and instructions for treating with Sweden, I waited on its ambassador here, who told me he daily expected a courier on that subject. Yesterday he wrote a note to acquaint me, that he would call on me to-day, having something to communicate. Being obliged to go to Paris, I waited on him, when he showed me the full powers he had just received, and I showed him mine. We agreed to meet on Wednesday next, exchange copies, and proceed to business. His commission has some polite expressions in it; viz. 'That his Majesty thought it for the good of his subjects to enter into a treaty of amity and commerce with the United States of America, who had established their independence, so justly merited by their courage and constancy;' or to that effect. I imagine this treaty will soon be completed."

This actually took place about four months afterwards, (April 3d, 1783,) when a treaty of amity and commerce between the United States of America and Sweden, was concluded and signed by the respective plenipotentiaries, Dr. Franklin and the Count de Krutz.

Not long after this transaction, Dr. Franklin received the following letter from the Swedish chargé d'affaires, afterwards ambassador at the court of France, (Baron de Staël) announcing the reception from his court of the ratification of the treaty, and renewing the request made by the late ambassador, Count de Krutz, (intended no doubt as a compliment to Dr. Franklin,) relative to Mr. Franklin being appointed by congress resident minister at the court of Sweden, where the Count then held the situation of prime minister.

A son Excellence M. Franklin.

Monsieur, *Paris, le* 13 *Juin*, 1783.

Je viens de recevoir la ratification de sa Majesté, du traité de commerce conclu avec les Etats Unis; laquelle j'aurai l'honneur de vous remettre aussitôt qu'elle pourra être échangée contre celle du congrès.

Permettez, Monsieur, que je vous repète à cette occasion, la demande que Mons. l'ambassadeur (le Comte de Krutz) vous a faite, au sujet de *Monsieur Franklin, votre petit-fils*. Il a eu l'honneur de vous dire, que le Roi verroit avec plaisir résider

auprès de lui, en qualité de ministre du congrès, une personne qui porte votre nom ; et y joint des qualités aussi estimables que le jeune M. Franklin. Avant de partir,* il m'a chargé de vous répéter la même assurance ; et vous me permettrez d'y ajouter les vœux que je fais en mon particulier, pour la réussite de cette affaire.

J'ai l'honneur d'être avec l'estime et l'attachement les plus parfaits et inviolables, Monsieur, &c.

(* de Paris.) LE BARON DE STAEL.

Dr. Franklin shortly after communicated this request to the American secretary for foreign affairs (R. R. Livingston, Esq.) in his official dispatch of the 22d July, 1783, as follows :

* * * * * * * *

——"You mention that an entire new arrangement with respect to foreign affairs, is under consideration. I wish to know, whether any notice is likely to be taken in it of my grandson. He has now gone through an apprenticeship of near seven years in the ministerial business, and is very capable of serving the States in that line, as possessing all the requisites of knowledge, zeal, activity, language, and address. He is well liked here, and Count de Vergennes has expressed to me in warm terms his very good opinion of him. The late Swedish ambassador, Count de Krutz, who is gone home to be prime minister, desired I would endeavor to procure his being sent to Sweden with a

public character, assuring me that he should be glad to receive him there as our minister, and that he knew it would be pleasing to the king. The present Swedish ambassador has also proposed the same thing to me, as you will see by a letter of his, which I enclose. One of the Danish ministers, Mr. Waltersdorff, who will probably be sent in a public character to congress, has also expressed his wish that my grandson may be sent to Denmark. But it is not my custom to solicit employments for myself or any of my family, and I shall not do it in this case. I only hope, that if he is not employed in your new arrangement, I may be informed of it as soon as possible; that while I have strength left for it, I may accompany him in a tour to Italy, returning through Germany, which I think he may make to more advantage with me than alone, and which I have long promised to afford him, as a reward for his faithful service, and his tender filial attachment to me."

These intimations from foreign courts, and this honorable and satisfactory testimony from one who had rendered the most eminent services to his country, were unnoticed by the American government; they are, however, no mean consolation to the object of them.

Shortly after signing the preliminary articles of peace with Great Britain, Mr. Oswald's functions ceased; and a change in administration taking place, David Hartley, Esq. was appointed minister

plenipotentiary, and repaired to Paris, invested, as expressed in his commission, with full powers there to meet and confer with the ministers of the United States of America, duly authorised, for the purpose of perfecting and establishing the peace, friendship, and good understanding so happily commenced; and for opening, promoting, and rendering perpetual, the mutual intercourse of trade and commerce between the British dominions and the United States of America.

Several private communications had taken place relative to these objects, between Dr. Franklin and Mr. Hartley, previous to the latter receiving his appointment; these, together with the subsequent propositions and various transactions that occurred, after the respective plenipotentiaries had exchanged their full powers, will be seen in that Part of the PRIVATE CORRESPONDENCE allotted to the negotiations in general. Those with Mr. Hartley proceeded very slowly, owing principally to his conceiving it necessary to send every proposition, either of his own or the American minister's, to his court for their approbation, and their delay in answering. Eventually, the English ministry would not agree to any of the propositions that had been made on either side; and sent over a project for the *definitive treaty*, consisting merely of the *preliminaries* formerly signed, with a short introductory paragraph, and an article at the conclusion, confirming and ratifying the said articles.

Finding nothing could be determined upon at that time with respect to commercial regulations, the American ministers, in order to terminate the affair, agreed to sign the plan offered them by Mr. Hartley, as the DEFINITIVE TREATY; which accordingly took place at Paris, on the 3d of September, 1783.

This business being accomplished, and Dr. Franklin not receiving any answer whatever from congress to his repeated official applications to be recalled, and his anxiety to return home increasing with his age and infirmities, he addressed a private request to the same effect to his friend General Mifflin, then president of congress, in order, through his interposition and influence, to obtain the wished-for object. The following is a copy of that letter.

TO HIS EXCELLENCY THOS. MIFFLIN, ESQ.
PRESIDENT OF CONGRESS.

(Private.)

DEAR SIR, *Passy, Dec.* 26, 1783.

I congratulate you very sincerely on your appointment to that very honorable station, the presidency of congress. Every testimony you receive of the public sense of your services and talents, gives me pleasure.

I have written to you a long letter on business, in my quality of minister. This is a private letter, respecting my personal concerns, which I presume

to trouble you with on the score of our ancient friendship.

In a letter of the 12th of March, 1781,[1] I stated my age and infirmities to the congress, and requested they would be pleased to recal me, that I might enjoy the little left me of the evening of life in repose, and in the sweet society of my friends and family. I was answered by the then president, that when peace should be made, if I persisted in the same request, it should be granted: I acquiesced: the preliminaries were signed in November, 1782, and I then repeated my petition.[2] A year is past, and I have no answer. Undoubtedly, if the congress should think my continuing here necessary for the public service, I ought as a good citizen to submit to their judgment and pleasure; but as they may easily supply my place to advantage, that cannot be the case; I suppose, therefore, that it is merely the multiplicity of more important affairs that has put my request out of their mind. What I would then desire of you is, to put this matter in train to be moved and answered as soon as possible, that I may arrange my affairs accordingly.

In the first letter above mentioned, to which I beg leave to refer you, I gave a character of my

[1] See PRIV. CORR. Part I.

[2] See Letter to Robt. R. Livingston, Esq. of Dec. 5, 1782, PRIV. CORR. Part III.

grandson, William Temple Franklin, and solicited for him the favor and protection of congress. I have nothing to abate of that character; on the contrary, I think him so much improved as to be capable of executing, with credit to himself and advantage to the public, any employment in Europe the congress may think fit to honor him with. He has been seven years in the service, and is much esteemed by all that know him, particularly by the minister here, who, since my new disorder, (the stone) makes my going to Versailles inconvenient to me, transacts our business with him in the most obliging and friendly manner. It is natural for me, who love him, to wish to see him settled before I die, in some employ that may probably be permanent; and I hope you will be so good to me, as to get that affair likewise moved and carried through in his favor. He has, I think, this additional merit to plead, that he has served in my office as secretary several years, for the small salary of 300 louis a-year, while the congress gave 1000 a-year to the secretaries of other ministers, who had not half the employ for a secretary that I had. For it was long before a consul was sent here, and we had all that business on our hands, with a great deal of admiralty business in examining and condemning captures taken by our cruisers, and by the French cruisers under American commissions; besides the constant attendance in examining and recording the acceptances of the con-

gress bills of exchange, which has been, from the immense number, very fatiguing; with many other extra affairs, not usually occurring to other ministers, such as the care of the prisoners in England, and the constant correspondence relating to them; in all of which he served me as secretary, with the assistance only of a clerk at low wages (50 louis a-year), so that the saving has been very considerable to the public.

* * * * *

Some months after this, Dr. Franklin again repeated the same earnest requests to his friends and former colleagues, Mr. Jay and Mr. Laurens, then on the point of returning to the United States with their families.

To Mr. and Mrs. Jay he thus writes:—

Passy, May 13, 1784.

My dear friends, I find I shall not be able to see you again as I intended. My best wishes, however, go with you, that you may have a prosperous voyage and a happy sight of your friends and families.

Mr. Jay was so kind as to offer his friendly services to me in America. He will oblige me much by endeavoring to forward my discharge from this employment. Repose is now my only ambition. If too he should think with me, that my grandson is qualified to serve the States as

secretary to a future minister at this court, or as chargé des affaires, and will be kind enough to recommend such an appointment, it will exceedingly oblige me. I have twice mentioned this in my letter to congress, but have not been favored with any answer; which is hard, because the suspense prevents my endeavoring to promote him in some other way. I would not, however, be importunate; and therefore, if Mr. Jay should use his interest without effect, I will trouble them no more on the subject. My grandson's acquaintance with the language, with the court and customs here, and the particular regard M. de Vergennes has for him, are circumstances in his favor.

God bless and protect you both. Embrace my little friend for me, and believe me ever yours, &c.

B. FRANKLIN.

To Mr. Laurens he writes thus :—

Passy, May 13, 1784.

* * * * *

——— I am sorry for the numerous disappointments you have lately met with. The world it is true is full of disappointments, but they are not equally divided, and you have had more than your share.

The ratifications of the definitive treaty are now exchanged; but Mr. Hartley waits for instructions respecting a treaty of commerce, which, from what

you observe, may probably never arrive. I shall, however, be glad to receive what you are so good as to promise me, your thoughts on the subject of such a treaty.

You have been so kind as to offer me your friendly services in America. You will oblige me greatly in forwarding my dismission from this employment, for I long much to be at home: and if you should think my grandson qualified to serve the States as secretary to my successor, or chargé-des-affaires, till a successor arrives, I shall thank you for recommending him. His knowledge of this court, and acquaintance with the language, and the esteem the minister has for him, are circumstances in his favor: his long experience in the business here is another, he having served an apprenticeship to it for more than seven years. His intelligence, discretion, and address, you can judge better of than myself, who may be partial. His fidelity and exactitude in performing his duty, I can answer for.

My best wishes attend you, your very valuable son, and amiable daughter. God bless you all, and give you a good voyage, and a happy meeting with your friends, with long life, health, and prosperity, is the sincere prayer of your affectionate humble servant, B. FRANKLIN.

Dr. Franklin, as will have been previously seen, occasionally kept a private journal. The following

extracts from one kept about this time, may not be found void of interest,

Private Journal.

Passy, June 26, 1784.

Mr. Waltersdorff called on me, and acquainted me with a duel that had been fought yesterday morning, between a French officer[1] and a Swedish gentleman of that king's suite, in which the latter was killed on the spot, and the other dangerously wounded :—that the king does not resent it, as he thinks his subject was in the wrong.

He asked me if I had seen the king of Sweden? —I had not yet had that honor. He said his behavior here was not liked: that he took little notice of his own ambassador, who, being acquainted with the usages of this court, was capable of advising him, but was not consulted. That he was always talking of himself, and vainly boasting of *his* revolution, though it was known to have been the work of M. de Vergennes. That they began to be tired of him here, and wished him gone; but he proposed staying till the 12th of July. That he had now laid aside his project of invading Norway, as he found Denmark had made preparations to receive him. That he pretended the Danes had designed to invade Sweden, though

[1] The Count de la Marck.

it was a known fact that the Danes had made no military preparations, even for defence, till six months after his began. I asked if it was clear that he had had an intention to invade Norway? He said that the marching and disposition of his troops, and the fortifications he had erected, indicated it very plainly. He added, that Sweden was at present greatly distressed for provisions; that many people had actually died of hunger! That it was reported the king came here to borrow money, and to offer to sell Gottenburg to France; a thing not very probable.

M. Dussaulx called, and said, it is reported there is an alliance treating between the Emperor of Austria, Russia, and England; the purpose not known; and that a counter-alliance is proposed between France, Prussia, and Holland, in which it is supposed Spain will join. He added, that changes in the ministry are talked of; that there are cabals against M. De Vengennes; that M. De Calonne is to be *Garde des Sceaux*, with some other rumors fabricated perhaps at the *Palais Royal*.

June 29. Mr. Hammond, secretary to Mr. Hartley, called to tell me that Mr. Hartley had not received any orders by the last courier, either to stay or return, which he had expected; and that he thought it occasioned by their uncertainty what terms of commerce to propose, till the report of the committee of council was laid before parliament, and its opinion known; and that he looked on the

delay of writing to him as a sign of their intending to do something.

He told me it was reported that the king of Sweden had granted the free use of Gottenburg as a port for France, which alarmed the neighboring powers. That, in time of war, the northern coast of England might be much endangered by it.

June 30th. M. Dupont, inspector of commerce, came to talk with me about the free port of L'Orient, and some difficulties respecting it: I referred him to Mr. Barclay, an American merchant and commissioner for accounts; and as he said he did not well understand English when spoken, and Mr. Barclay did not speak French, I offered my grandson to accompany him as interpreter, which he accepted.

I asked him whether the Spaniards from the continent of America did not trade to the French sugar islands? He said not. The only commerce with the Spaniards was for cattle between them and the French at St. Domingo. I had been told the Spaniards brought flour to the French islands from the continent. He had not heard of it. If we can find that such a trade is allowed (perhaps from the Mississippi,) have not the United States a claim by treaty to the same privilege?

July 1st. The Pope's Nuncio called, and acquainted me that the Pope had, on my recommendation, appointed Mr. John Carrol, superior of the Catholic clergy in America, with many of the

powers of a bishop; and that probably he would be made a bishop *in partibus* before the end of the year. He asked me which would be most convenient for him, to come to France, or go to St. Domingo for ordination by another bishop, which was necessary. I mentioned Quebec as more convenient than either. He asked whether, as that was an English province, our government might not take offence at his going thither? I thought not, unless the ordination by that bishop should give him some authority over our bishop. He said, not in the least: that when our bishop was once ordained, he would be independent of the others, and even of the pope; which I did not clearly understand. He said the congregation *de propaganda fidei* had agreed to receive and maintain and instruct two young Americans in the languages and sciences at Rome: (he had formerly told me that more would be educated *gratis* in France.) He added, they had written from America that there are twenty priests, but that they are not sufficient; as the new settlements near the Mississippi have need of some.

The Nuncio said we should find that the Catholics were not so intolerant as they had been represented; that the inquisition in Rome had not now so much power as that in Spain; and that in Spain it was used chiefly as a prison of state. That the congregation would have undertaken the education of more American youths, and may hereafter, but that at present they are overburthened, having some from all parts of

the world. He spoke lightly of their New Bostonian convert, *Thayer's* conversion: that he had advised him not to go to America, but settle in France. That he wanted to go to convert his countrymen; but he knew nothing yet of his new religion himself, &c.

Received a letter from Mr. Bridgen of London, dated the 22d past, acquainting me that the council of the Royal Society had voted me a gold medal, on account of my letter in favor of Captain Cook.

Lord Howe had sent me his Journal, 3 vols. 4to. with a large volume of engravings, on the same account, and, as he writes, "*with the King's approbation.*"

July 3. Mr. Smeathman comes and brings two English or Scotch gentlemen: one a chevalier of some order, the other a physician who had lived long in Russia. Much conversation. Putrid fevers common in Russia, and in winter much more than in summer: therefore supposed to be owing to their hot rooms. In a gentleman's house there are sometimes one hundred domestics: these have not beds, but sleep twenty or thirty in a close room warmed by a stove, lying on the floor and on benches. The stoves are heated by wood. As soon as it is burnt to coals, the chimney is stopt, to prevent the escape of hot and entry of cold air. So they breathe the same air over and over again all night. These fevers he cured by wrapping the patient in linen wet with

vinegar, and making them breathe the vapor of vinegar thrown on hot bricks. The Russians have the art of distilling spirits from milk. To prepare it for distillation it must, when beginning to sour, be kept in continual motion or agitation for twelve hours; it then becomes an uniform vinous liquor, the cream, curd, and aqueous part or whey, all intimately mixed. Excellent in this state for restoring emaciated bodies. This operation on milk was discovered long since by the Tartars, who in their rambling life often carry milk in leather bags on their horses, and the motion produced the effect. It may be tried with us by attaching a large cag of milk to some part of one of our mills.

July 6. Directed Temple Franklin, who goes to court to-day, to mention three things to the minister. The *main levée* of the arrested goods, the port of L'Orient, and the consular convention; which he did with effect.—The port is fixed—and the convention preparing.—Hear that Gottenburg is to be a free port for France, where they may assemble northern stores, &c.

Mr. Hammond came and dined with me. He acquaints me, from Mr. Hartley, that no instructions are yet come from England.

July 7. A very hot day. Received a visit from the secretary of the king of Sweden, M. Franke, accompanied by the secretary of the embassy.

July 8. M. Franke dines with me, in company

with M. de Helvétius, Abbé de la Roche, M. Cabanis, and an American captain. The king of Sweden does not go to England.

July 10. Mr. Grand came to propose my dining with the Swedish court at his house, which is next door, and I consented. While he was with me the consul came. We talked about the Barbary powers: they are four, Morocco, Algiers, Tunis, and Tripoli. He informed me that Salee, the principal port belonging to the Emperor of Morocco, had formerly been famous for corsairs. That this prince had discouraged them, and in 1768 published an edict declaring himself in peace with all the world, and forbad their cruising any more, appointing him consul for those Christian states who had none in his country. That Denmark pays him 25,000 *piastres fortes* yearly, in money; Sweden is engaged to send an ambassador every two years with presents; and the other powers buy their peace in the same manner, except Spain and the Italian states, with whom they have constant war. That he is consul for Sardinia and Prussia, for whom he procured treaties of peace. That he proposed a peace for Russia; but that the Emperor having heard that Russia was going to war with his brother, the Grand Seignior, he refused it. Mr. Audibert Caille (the consul) thinks it shameful for Christendom to pay tribute to such *canaille*, and proposes two ways of reducing the barbarians to peace with all Europe, and obliging them to quit their piratical practices.

They have need of many articles from Europe, and of a vent for their superfluous commodities. If therefore all Europe would agree to refuse any commerce with them but on condition of their quitting piracy, and such an agreement could be faithfully observed on our part, it would have its effect upon them. But if any one power would continue the trade with them, it would defeat the whole. There was another method he had projected, and communicated in a memorial to the court here, by Mons. de Rayneval; which was, that France should undertake to suppress their piracies and give peace to all Europe, by means of its influence with the Porte. For all the people of these states being obliged by their religion to go at times in caravans to Mecca, and to pass through the Grand Seignior's dominions, who gives them escorts of troops through the desert, to prevent their being plundered and perhaps massacred by the Arabs, he could refuse them passage and protection but on condition of their living peaceably with the Europeans, &c. He spoke of Montgomery's transaction, and of Crocco, whom he understands was authorised by the court. The barbarians, he observed, having no commercial ships at sea, had vastly the advantage of the Europeans; for one could not make reprisals on their trade. And it has long been my opinion, that if the European nations, who are powerful at sea, were to make war upon us Americans, it would be better for us to renounce commerce in our own bottoms,

and convert them all into cruisers. Other nations would furnish us with what we wanted, and take off our produce. He promised me a note of the commerce of Barbary, and we are to see each other again, as he is to stay here a month.

Dined at Mr. Grand's, with the Swedish gentlemen. They were Mons. Rosenstein, secretary of the embassy, and *****, with whom I had a good deal of conversation relating to the commerce possible between our two countries. I found they had seen at Rome Charles Stuart the *Pretender:* they spoke of his situation as very hard: that France, who had formerly allowed him a pension, had withdrawn it, and that he sometimes almost wanted bread!

July 11. M. Waltersdorff called. He hears that the agreement with Sweden respecting the port of Gottenburg is not likely to be concluded. That Sweden wanted an island in the West Indies in exchange. I think she is better without it.

July 13. Mess. Mirabeau and Champfort came and read their translation of (American) Mr. Burke's pamphlet against the Cincinnati, which they have much enlarged, intending it as a covered satire against *noblesse* in general. It is well done. There are also remarks on the last letter of General Washington on that subject. They say General Washington missed a *beau moment*, when he accepted to be of that society (which some affect to call an *order*). The same of the Marquis de la Fayette.

July 14. Mr. Hammond calls to acquaint me

that Mr. Hartley is still without any instructions relating to the treaty of commerce; and supposes it occasioned by their attention to the India bill. I said to him,—your court and this seem to be waiting for one another, with respect to the American trade with your respective islands. You are both afraid of doing too much for us, and yet each wishes to do a little more than the other. You had better have accepted our generous proposal at first, to put us both on the same footing of free intercourse that existed before the war. You will make some narrow regulations, and then France will go beyond you in generosity. You never see your follies till too late to mend them.—He said, Lord Sheffield was continually exasperating the parliament against America. He had lately been publishing an account of loyalists murdered there, &c. Probably invented.

Thursday, July 15. The Duke de Chartres's[1] balloon went off this morning from St. Cloud, himself and three others in the gallery. It was foggy, and they were soon out of sight. But the machine being disordered, so that the trap or valve could not be opened to let out the expanding air, and fearing that the balloon would burst, they cut a hole in it, which ripped larger, and they fell rapidly, but received no harm. They had been a vast height, met with a cloud of snow, and a tornado, which frightened them.

[1] The late Duke of Orleans, father to the present one, (1818).

Friday, 16. Received a letter from two young gentlemen in London, who are come from America for ecclesiastical orders, and complain that they have been delayed there a year, and that the archbishop will not permit them to be ordained unless they will take the oath of allegiance; and desiring to know if they may be ordained here. Inquired and learnt that if ordained here, they must vow obedience to the archbishop of Paris. Directed my grandson to ask the Nuncio, if their bishop in America might not be instructed to do it literally?

Saturday, 17. The Nuncio says the thing is impossible, unless the gentlemen become Roman Catholics. Wrote them an answer.[1]

Sunday, 18. A good abbé brings me a large manuscript containing a scheme of reformation of all churches and states, religion, commerce, laws, &c. which he has planned in his closet, without much knowledge of the world. I have promised to look it over, and he is to call next Thursday. It is amazing the number of legislators that kindly bring me new plans for governing the United States.

Monday, July 19. Had the Americans at dinner, with Mr. White and Mr. Arbuthnot from England. The latter was an officer at Gibraltar during the late siege. He says the Spaniards might have taken it; and that it is now a place of

[1] See PRIV. CORR. Part I. letter dated July 18, 1784.

no value to England. That its supposed use as a port for a fleet to prevent the junction of the Brest and Toulon squadrons, is chimerical. That while the Spaniards are in possession of Algeziras, they can with their gun-boats, in the use of which they are grown very expert, make it impossible for any fleet to lie there.

Tuesday, 20. My grandson went to court. No news there, except that the Spanish fleet against Algiers is sailed. Receive only one American letter by the packet, which is from the college of Rhode Island, desiring me to solicit benefactions of the king, which I cannot do, for reasons which I shall give them. It is inconceivable why I have no letters from congress. The treaties with Denmark, Portugal, &c. all neglected! Mr. Hartley makes the same complaint. He is still without orders. Mr. Hammond called and dined with me; says Mr. Pitt begins to lose his popularity; his new taxes, and project about the *navy bills*, give great discontent. He has been burnt in effigy at York. His East-India bill not likely to go down; and it is thought he cannot stand long. Mr. Hammond is a friend of Mr. Fox;—whose friends, that have lost their places, are called *Fox's Martyrs*.

Wednesday, July 21. Count de Haga[1] sends his card to take leave. M. Grand tells me he has

[1] The king of Sweden.

bought here my bust with that of M. D'Alembert or Diderot, to take with him to Sweden. He set out last night.

Thursday, 22. Lord Fitzmaurice, son of Lord Shelburne, arrives; brought me sundry letters and papers.

He thinks Mr. Pitt in danger of losing his majority in the house of commons, though great at present; for he will not have wherewithal to pay them. I said, that governing by a parliament which must be bribed, was employing a very expensive machine, and that the people of England would in time find out, though they had not yet, that since the parliament must always do the will of the minister, and be paid for doing it, and the people must find the money to pay them, it would be the same thing in effect, but much cheaper, to be governed by the minister at first hand, without a parliament. Those present seemed to think the reasoning clear. Lord Fitzmaurice appears a sensible, amiable young man.

Tuesday, 27. Lord Fitzmaurice called to see me. His father having requested that I would give him such instructive hints as might be useful to him, I occasionally mentioned the old story of Demosthenes' answer to one who demanded what was the first point of oratory? *Action.* The second? *Action.* The third? *Action:* which I said had been generally understood to mean the action of an orator with his hands, &c. in speaking; but

that I thought another kind of action of more importance to an orator, who would persuade people to follow his advice, viz. such a course of action in the conduct of life, as would impress them with an opinion of his integrity as well as of his understanding. That this opinion once established, all the difficulties, delays, and oppositions, usually occasioned by doubts and suspicions, were prevented; and such a man, though a very imperfect speaker, would almost always carry his points against the most florishing orator, who had not the character of sincerity. To express my sense of the importance of a good private character in public affairs more strongly, I said the advantage of having it, and the disadvantage of not having it, were so great, that I even believed if George III. had had a bad private character, and John Wilkes a good one, the latter might have turned the former out of his kingdom.—Lord Shelburne, the father of Lord Fitzmaurice, has unfortunately the character of being *insincere;* and it has hurt much his usefulness; though in all my concerns with him, I never saw any instance of that kind.

[This Journal does not appear to have been continued further at this period: it is to be regretted that it is not more extensive.]

In the year 1784, when *animal magnetism* made considerable noise in the world, particularly at

Paris, it was thought a matter of such importance, that the king appointed commissioners to examine into the foundation of this pretended science. Dr. Franklin, at the particular request of his Majesty, signified to him by a letter from the minister, consented to be one of the number. After a fair and diligent examination, in the course of which Doctor Delon, a pupil and partner of Mesmer, repeated a number of experiments, in the presence of the commissioners, some of which were tried upon themselves, they determined that it was a mere trick, intended to impose on the ignorant and credulous; and gave in their report accordingly to his Majesty; which was afterwards published for the information of the public. Mesmer, and his associate Delon, were thus interrupted in their career to wealth and fame; and a most insolent attempt to impose upon the human understanding, baffled.

Some time after, Dr. Franklin, in a letter to his friend Dr. Ingenhausz, thus notices the subject.

"Mesmer continues here, and has still some adherents, and some practice. It is surprising how much credulity still subsists in the world. I suppose all the physicians in France put together have not made so much money, during the time he has been here, as he alone has done! And we have now a fresh folly. A magnetiser pretends that he can, by establishing what is called a *rapport* between any person and a *somnambule*, put it

in the power of that person to direct the actions of the *somnambule* by a simple strong volition only, without speaking or making any signs; and many people daily flock to see this strange operation."

The important ends of Dr. Franklin's mission to Europe being attained by the establishment and acknowledgment of American independence; and the infirmities of age and disease increasing upon him, he became more and more desirous of being relieved from his public situation, and of returning to his native country. Upon a renewed application to congress to be recalled, he at length obtained his request, and Mr. Jefferson was appointed to succeed him; a more able and suitable successor, in every respect, could not have been found.

The following letters passed on this occasion between Dr. Franklin and the French minister for foreign affairs.

To his Excellency Count de Vergennes, &c. &c.

Sir, *Passy, May* 3, 1785.

I have the honor to acquaint your Excellency, that I have at length obtained, and yesterday received, the permission of congress to return to America. As my malady makes it impracticable for me to pay my *devoirs* at Versailles personally, may I beg the favor of you, sir, to ex-

press respectfully for me to his Majesty, the deep sense I have of all the inestimable benefits his goodness has conferred on my country; a sentiment that it will be the business of the little remainder of life now left me, to impress equally on the minds of all my countrymen. My sincere prayers are, that God may shower down his blessings on the King, the Queen, their children, and all the royal family, to the latest generations!

Permit me, at the same time, to offer you my thankful acknowledgments for the protection and countenance you afforded me at my arrival, and your many favors during my residence here; of which I shall always retain the most grateful remembrance.

My grandson would have had the honor of waiting on you with this letter, but he has been some time ill of a fever.

With the greatest esteem and respect, and best wishes for the constant prosperity of yourself, and all your amiable family, I am, sir, your Excellency's most obedient and most humble servant,

B. FRANKLIN.

[*Answer to the foregoing.*]

A SON EXCELLENCE MONS. FRANKLIN.

A Versailles, le 22 *Mai*, 1785.

J'ai appris avec beaucoup de peine, Monsieur, votre retraite et votre prochain départ

pour l'Amérique. Vous ne devez pas douter que les regrets que vous laisserez, ne soient proportionnés à la considération dont vous jouissez à si juste titre. Je puis vous assurer, Monsieur, que l'estime que le Roi vous porte, ne vous laisse rien à désirer, et que sa Majesté apprendra avec une véritable satisfaction, que vos compatriotes ont récompensé d'une manière digne de vous, les importans services que vous leur avez rendus.

Je vous prie, Monsieur, de me conserver une part dans votre souvenir, et de ne jamais douter de la sincérité de l'intérêt que je prends à votre bonheur: il a pour principe les sentimens d'attachement que je vous ai voués, et avec lesquels j'ai l'honneur d'être, Monsieur, votre très-humble et très-obéissant serviteur, DE VERGENNES.

One of the last public acts of Dr. Franklin in Europe, as plenipotentiary from congress, took place on the 9th of July, 1785, when he concluded and signed (jointly with other American commissioners) a treaty of amity and commerce between the United States of America and the King of Prussia. This treaty is remarkable as containing a strong and lasting testimony of Dr. Franklin's wonted philanthropy. In it was introduced for the first time, (and, to the disgrace of governments, perhaps for the last) that benevolent article against the molestation of the persons and property of *unarmed citizens* in time of war; and against priva-

teering. The establishing of this principle as the future law of nations, was a favorite object of Dr. Franklin. In the beginning of the year 1783, he formally proposed the same to the British government, through the medium of one of its envoys, as appears by his letter to Mr. Oswald of the 14th Jan. 1783; to which is subjoined his motives and arguments at length, in favor of this improvement of the law of nations.[1] The article then proposed was nearly the same as that which he afterwards actually introduced, and constituted a part of the treaty with Prussia. It runs thus:

ARTICLE 23.

"If war should arise between the two contracting parties, the merchants of either country then residing in the other, shall be allowed to remain nine months to collect their debts and settle their affairs, and may depart freely, carrying off all their effects without molestation or hindrance. And all women and children, scholars of every faculty, cultivators of the earth, artizans, manufacturers, and fishermen, unarmed, and inhabiting unfortified towns, villages, and places; and in general all others whose occupations are for the common subsistence and benefit of mankind, shall be allowed to continue their respective employments, and shall not be molested in their persons; nor shall their houses or goods be burnt or otherwise destroyed, nor their fields wasted by the armed force of the enemy, into whose power, by the events of the war, they may happen to fall: but if any thing is necessary to be taken from them for the use of such armed force, the same shall be paid for at a reasonable price. And all merchant and trading vessels, employed in exchanging the products of different places, and thereby rendering

[1] See PRIV. CORR. Part III.

the necessaries, conveniences, and comforts of human life, more easy to be obtained, and more general, shall be allowed to pass free and unmolested; and neither of the contracting powers shall grant or issue any commission to any private armed vessels, empowering them to take or destroy such trading vessels, or interrupt such commerce."

During Dr. Franklin's residence in France, notwithstanding the important and multifarious concerns attending his public situation, he nevertheless found time to write several papers on philosophical and other subjects, which will appear in their appropriate places, in a subsequent volume, containing a selection of his most approved political, philosophical, and miscellaneous writings.

A few days before he left Passy, he received an additional proof of the personal esteem entertained for him at the court of France, by the following letter from the Maréchal Duc de Castries, the minister of the marine.

A son Excellence Mons. Franklin, &c. &c.

Versailles, le 10 *Juillet*, 1785.

Je n'ai appris, Monsieur, que depuis très-peu de jours, les dispositions que vous avez faites pour votre départ. Si j'en eusse été informé plutôt, je me serois empressé à proposer au Roi de destiner une frégate pour vous transporter dans votre patrie, d'une manière à lui faire connoître la considération que les services distingués que vous

avez rendus, vous ont acquis en France, et les bontés particulières de Sa Majesté pour vous.

Je vous prie, Monsieur, d'agréer mes regrets, et une nouvelle assurance de la plus parfaite considération avec laquelle j'ai l'honneur d'être, Monsieur, votre très-humble et très-obéissant serviteur,

LE MARECHAL DE CASTRIES.

The infirmity under which Dr. Franklin labored, was such, that he could not support the motion of a carriage. In consequence, the queen's litter borne by Spanish mules was kindly offered and gratefully accepted, to convey him from Passy to Havre-de-Grace, where he proposed embarking. In this easy vehicle he made that journey, followed by his family and some friends in carriages. On the road, he experienced every mark of respect, attention, and kindness, from several of the nobility and gentry whose *chateaux* lay adjoining, and particularly from the Cardinal de la Rochefoucault at Gaillon, where he passed a night with his accompanying friends and attendants. He arrived safe at Havre, without having experienced any material inconvenience from the journey, and there embarked in a small packet, crossed the British channel, and landed at Southampton. Here he remained a few days, and had the satisfaction of seeing his son, the former governor of New Jersey, and receiving the visits of several of his English friends. Among these were the Bishop

of St. Asaph (Dr. Shipley), Mr. Alexander, Mr. Benj. Vaughan, &c. &c. He embarked on board a Philadelphia ship called the *London Packet*, Capt. Thos. Truxton, on July 27, and after a prosperous voyage arrived at Philadelphia on the 14th September. But his own account of his journey from Passy to Havre, and his subsequent voyage to Southampton, and thence to America, as taken from his pocket journal, may not perhaps be entirely void of interest. It is as follows.

Private Journal.

" Having staid in France about $8\frac{1}{2}$ years, I took leave of the court and my friends, and set out on my return home, July 12, 1785, leaving Passy with my two grandsons, at 4 P. M.; arrived about 8 at *St. Germain's*. M. de Chaumont, with his daughter Sophia, accompanied us to *Nanterre*. M. Le Veillard will continue with us to Havre. We met at *St. Germain's* the Miss Alexanders with Mrs. Williams our cousin, who had provided a lodging for me at M. Benoit's. I found that the motion of the litter, lent me by the Duke de Coigny, did not much incommode me. It was one of the queen's, carried by two very large mules, the muleteer riding another; M. le V. and my children in a carriage. We drank tea at M. Benoit's, and went early to bed.

Wednesday, July 13. Breakfast with our friends, take leave and continue our journey, dine

at a good inn at *Meulan*, and get to *Mantes* in the evening. A messenger from the Cardinal de Rochefoucault meets us there, with an invitation to us to stop at his house at *Gaillon* the next day, acquainting us at the same time, that he would take no excuse; for, being all-powerful in his archbishopric, he would stop us *nolens volens* at his habitation, and not permit us to lodge any where else. We consented. Lodged at *Mantes*. Found myself very little fatigued with the day's journey, the mules going only foot pace.

Thursday, July 14. Proceed early, and breakfast at *Vernon*. Received a visit there from Vicomte de Tilly and his Comtesse. Arrive at the cardinal's without dining, about six in the afternoon. It is a superb ancient chateau, built about 350 years since, but in fine preservation, on an elevated situation, with an extensive and beautiful view over a well-cultivated country. The cardinal is archbishop of Rouen. A long gallery contains the pictures of all his predecessors. The chapel is elegant in the old style, with well-painted glass windows. The terrace magnificent. We supped early. The entertainment was kind and cheerful. We were allowed to go early to bed, on account of our intention to depart early in the morning. The cardinal pressed us to pass another day with him, offering to amuse us with hunting in his park: but the necessity we are under of being in time at Havre, would not permit. So we took

leave and retired to rest. The cardinal is much respected and beloved by the people of this country, bearing in all respects an excellent character.

Friday, July 15. Set out about five in the morning, travelled till ten, then stopped to breakfast, and remained in the inn during the heat of the day. We had heard at the cardinal's, that our friend Mr. Holker of Rouen had been out that day as far as Port St. Antoine to meet us; expecting us there from a letter of M. de Chaumont's. Here came to us one of his servants, who was sent to inquire if any accident had happened to us on the road, and was ordered to proceed till he got intelligence. He went directly back, and we proceeded. We passed a chain of chalk mountains very high, with strata of flints. The quantity that appears to have been washed away on one side of these mountains, leaving precipices of 300 feet high, gives an idea of extreme antiquity. It seems as if done by the beating of the sea. We got to *Rouen* about five; were most affectionately received by Mr. and Mrs. Holker. A great company of genteel people at supper, which was our dinner. The chief president of the parliament and his lady invite us to dine the next day; but being pre-engaged with Mr. Holker, we compounded for drinking tea. We lodge all at Mr. Holker's.

Saturday, July 16. A deputation from the academy of Rouen came with their compliments, which were delivered in form, and a present for me

by one of the directors, being a magical square, which I think he said expressed my name. I have perused it since, but do not comprehend it. The Duke de Chabot's son, lately married to a Montmorency, and colonel of a regiment now at Rouen, was present at the ceremony, being just come in to visit me. I forgot to mention that I saw with pleasure in the cardinal's cabinet, a portrait of this young man's grandmother, Madame la Duchesse d'Enville, who had always been our friend, and treated us with great civilities at Paris; a lady of uncommon intelligence and merit.

I received here also a present of books, 3 vols. 4to., from Dr. * * * * *, with a very polite letter, which I answered.

We had a great company at dinner; and at six went in a chair to the president's, where were assembled some gentlemen of the robe. We drank tea there, awkwardly made, for want of practice, very little being drunk in France. I went to bed early; but my company supped with a large invited party, and were entertained with excellent singing.

Sunday, July 17. Set out early. Mr. Holker accompanied us some miles, when we took an affectionate leave of each other. Dine at *Ivetot*, a large town, and arrive at *Bolbec*, being the longest day's journey we have yet made. It is a market-town of considerable bigness, and seems thriving; the people well clad, and appear better fed than those of the wine countries. A linen-printer here

offered to remove to America, but I did not encourage him.

Monday, July 18. Left *Bolbec* about ten o'clock, and arrive at *Havre* at five P. M., having stopped on the road at a miserable inn to bait. We were very kindly received by M. and Mde. Ruellan. The governor makes us a visit, and some other gentlemen.

Tuesday, July 19. We receive visits in form from the intendant, the governor or commandant, the officers of the regiment of Poitou and Picardy, the corps of engineers, and M. Limosin.

M. Limosin proposes several vessels; all very dear. We wait for the packet from Southampton. Dine at M. Ruellan's, where we lodge. Receive the affiliation of the lodge at Rouen.

Wednesday, July 20. Return the visits. Receive one from the *corps de marine;* and one from the *corps d'artillerie.* M. Houdon arrives and brings me letters. Dine at M. Limosin's. Present M. and Mde. Le Mesurier and their sister, agreeable people of Alderney (Auvigny). Kindly entertained by M. L. and his daughter. Return the last visits.

The packet-boat arrives, and the captain (Jennings) calling at our lodging, we agree with him to carry us and the baggage we have here for ten guineas, to land us at *Cowes.* We are to depart tomorrow evening.

Thursday, July 21. We had another visit from M. de Villeneuve, the commandant, inviting us to dine with him to-morrow; but intending to go off this evening, we could not accept that honor.

Dine with our friendly host and hostess. Mde. Feinés, Mde. de Clerval, and two other ladies, visit M. Le Veillard, with several gentlemen.

In the evening, when we thought we were on the point of departing, the captain of the packet comes and acquaints us that the wind is right against us, and blows so hard, that it is impossible to get out, and we give up the project till to-morrow.

Friday, July 22. Breakfast and take leave of some friends, and go on board the packet at half after ten. Wind not very fair.

Saturday, July 23. Buffet all night against the north-west wind, which was full in our teeth. This continued till two o'clock to-day, then came fair, and we stand our course. At seven p. m. we discover land, the *Isle of Wight*.

Sunday, July 24. We had a fair wind all night, and this morning at seven o'clock, being off *Cowes*, the captain represented to me the difficulty of getting in there against the flood; and proposed that we should rather run up to *Southampton*, which we did, and landed there between eight and nine. Met my son, who had arrived from London the evening before, with Mr. Williams and Mr. J. Alexander. Wrote a letter to the bishop of St. Asaph, acquainting him with my arrival, and he

came with his lady and daughter, Miss Kitty, after dinner, to see us: they talk of staying here as long as we do. Our meeting was very affectionate. I write letters to London, viz. to Messrs. W. J. M. and Co., to acquaint them with our arrival, and desire to know when the ship will sail, and to Mr. Williams. These letters went by post, before we knew of his being here. Wrote also to Mr. B. Vaughan.

Monday, July 25. The bishop and family lodging in the same inn, the Star, we all breakfast and dine together. I went at noon to bathe in Martin's salt-water hot-bath, and floating on my back, fell asleep, and slept near an hour by my watch, without sinking or turning! a thing I never did before, and should hardly have thought possible. Water is the easiest bed that can be. Read over the writings of conveyance, &c. of my son's lands in New Jersey and New York to my grandson. Write to M. Ruellan, M. Limosin, M. Holker, and M. Grand. Southampton a very neat pretty place. The two French gentlemen, our friends, much pleased with it. The bishop gives me a book in 4to. written by Dean Paley, and the family dine with us. Sundry friends came to see me from London; by one I receive a present of my friend Dr. Fothergill's works, from Dr. Lettsom; and a book on finance from Mr. Gale. Mr. Williams tells me the ship had fallen down to Gravesend the 22d, so that she might be in the Downs the

24th, and possibly here to-morrow, that is, on the Mother Bank, which we can see hence. Mr. Williams brought a letter from Mr. Nepean, secretary to Lord Townshend, addressed to Mr. Vaughan, expressing, that orders would be sent to the custom-house at Cowes not to trouble our baggage, &c. It is still here on board the packet that brought it over. Mr. Alexander takes leave for London; write by him to Mr. Jackson, Dr. Jeffries, Dr. Lettsom, and my son-in-law Bache, the latter to be sent by the packet.

July 26. Deeds signed between W. Franklin and W. T. Franklin.

Mr. Williams having brought sundry necessaries for me, goes down with them to *Cowes*, to be ready for embarking. Capt. Jennings carries down our baggage that he brought from Havre. My dear friend, M. Le Veillard, takes leave to go with him. Mr. Vaughan arrives from London, to see me.

Wednesday, July 27. Give a power to my son to recover what may be due to me from the British government. Hear from J. Williams that the ship is come.

We all dine once more with the bishop and family, who kindly accept our invitation to go on board with us. We go down in a shallop to the ship. The captain entertains us at supper. The company stay all night.

Thursday, July 28. When I waked in the morn-

ing found the company gone, and the ship under sail.

* * * * * *

Nothing material occurred during the passage: Dr. Franklin occupied himself, as in former voyages, in ascertaining daily the temperature of the sea water by the thermometer; and he wrote a very interesting and useful paper on "*Improvements in Navigation*," which he addressed to Mons. Alphonse Le Roy, at Paris. It was afterwards read in the American Philosophical Society, Dec. 3, 1785, and will be found among his philosophical writings.

The foregoing little journal concludes thus:

Tuesday, Sept. 13. The wind springing fair last evening after a calm, we found ourselves this morning, at sun-rising, abreast of the light-house, and between *Capes May* and *Henlopen*. We sail into the bay very pleasantly; water smooth, air cool, day fair and fine.

We passed *Newcastle* about sun-set, and went on near to *Redbank* before the tide and wind failed, then came to an anchor.

Wednesday, Sept. 14. With the flood in the morning came a light breeze, which brought us above *Gloucester Point*, in full view of dear *Philadelphia!* when we again cast anchor to wait for the

health officer, who, having made his visit, and finding no sickness, gave us leave to land. My son-in-law came with a boat for us; we landed at Market-Street wharf, where we were received by a crowd of people with huzzas, and accompanied with acclamations quite to my door. Found my family well.

God be praised and thanked for all his mercies!

END OF PART IV.

PART V.

THE arrival of Dr. Franklin in Philadelphia is thus accurately related by one of his historians: "He was received amidst the acclamations of an immense number of the inhabitants, who flocked from all parts in order to see him, and conducted him in triumph to his own house. In the mean time, the cannon and the bells of the city announced the glad tidings to the neighboring country; and he was waited upon by the congress, the university, and all the principal citizens, who were eager to testify their esteem and veneration for his character."

Another writer thus enthusiastically notices his return:

"His entry into Philadelphia resembled a triumph; and he traversed the streets of that capital amidst the benedictions of a free and grateful people, who had not forgotten his services.

"The warriors who had shed their blood for an independence, insured by means of his sagacity, were eager to exhibit to him their glorious wounds. He was surrounded by old men, who had petitioned Heaven to live long enough to behold his return;

and by a new generation eager to survey the features of a great man, whose talents, whose services, and whose virtues, had excited in their hearts the first raptures of enthusiasm. Having advanced from a port, henceforth open to all nations, to a city, the model of all future capitals, he beheld the public school which he had founded,—in a state of splendor; and saw the hospital, the establishment of which had been one of his first services, and the increase of which was owing to his foresight,—now fully commensurate to all his wishes: the latter by solacing suffering humanity; the former by aiding the progress of reason. He then turned his eyes towards the neighboring country, embellished by liberty, in which, in the midst of public prosperity, were still to be seen some vestiges of the ravages of the English; but these only served by their contrast to endear still more the pleasures arising from peace—and victory!"

The following are some of the numerous congratulatory addresses presented to Dr. Franklin on his return:

To the Hon. BENJAMIN FRANKLIN, Esq. LL. D. &c.

The representatives of the freemen of the commonwealth of Pennsylvania, in general assembly met, in the most affectionate manner congratulate you on your safe arrival in your country, after so long an absence on the most important business. We likewise congratulate you on the firm establishment of the independence of America, and the settlement of

a general peace, after the interesting struggle in which we were so long engaged.

We are confident, sir, that we speak the sentiments of this whole country, when we say, that your services, in the public councils and negotiations, have not only merited the thanks of the present generation, but will be recorded in the pages of history, to your immortal honor. And it is particularly pleasing to us, that, while we are sitting as members of the assembly of Pennsylvania, we have the happiness of welcoming into the state, a person who was so greatly instrumental in forming its free constitution.

May it please God to give you a serene and peaceful enjoyment of the evening of life, and a participation of that happiness you have been so instrumental in securing to others!

Signed, by order of the House,

JOHN BAYARD, Speaker.

Assembly Chambers, Sept. 15, 1785.

DR. FRANKLIN'S REPLY.

MR. SPEAKER AND GENTLEMEN,

I am extremely happy to find by your friendly and affectionate address, that my endeavors to serve our country in the late important struggle, have met with the approbation of so respectable a body as the representatives of the freemen of Pennsylvania. I esteem that approbation as one of the greatest honors of my life. I hope the peace with which God has been graciously pleased to bless us may be lasting, and that the free constitution we now enjoy, may long contribute to promote our common felicity. The kind wishes of the general assembly for my particular happiness affect me very sensibly, and I beg they would accept my thankful acknowledgments.

To the Hon. BENJAMIN FRANKLIN, Esq. LL. D. &c.

SIR,

It is with peculiar pleasure that the *American Philosophical Society* address you on this occasion.

The high consideration and esteem in which we hold your character, so intimately combine with our regard for the public welfare, that we participate eminently in the general satisfaction which your return to America produces.

We bid you welcome to your native country, for which you have done the most essential services:—and we welcome you to this chair, your occupying of which, as *President*, adds to our institution much lustre in the eyes of the world.

Sir, it reflects honor on *philosophy*, when one distinguished by his deep investigations, and many valuable improvements in it, is known to be equally distinguished for his philanthropy, patriotism, and liberal attachment to the rights of human nature.

We know the favorable influence that freedom has upon the growth of sciences and arts. We derive encouragement and extraordinary felicity from an assemblage of recent memorable events.

And, while we boast in a most pleasing equality permanently ascertained, and that independence which you had so great a share in establishing, we have reason to expect, that this society will proceed with an increasing success, to conduct the important business for which they originally associated.

THE PRESIDENT'S ANSWER.

GENTLEMEN,

The great honor done me by this society, in choosing me so many years successively their president, notwithstanding

my absence in Europe, and the very kind welcome they are pleased to give me on my return, demand my most grateful acknowledgments; which I beg they would be pleased to accept, with my warmest wishes of success to their laudable endeavors for the promoting of useful knowledge among us, to which I shall be happy if I can in any degree contribute.

To the Hon. BENJAMIN FRANKLIN, Esq. LL. D. &c.

The Address of the Provost, V. Provost, and Professors of the University of Pennsylvania.

HONORED SIR,

The Provost, V. Provost, and Professors of the University of Pennsylvania, beg leave to congratulate you on your safe arrival in your native country, after having accomplished the duties of your exalted character with dignity and success.

While we participate in the general happiness of America, to the establishment of which your political abilities and patriotic exertions have so signally contributed; we feel a particular pleasure in paying our acknowledgments to the gentleman who first projected the liberal plan of the institution over which we have the honor to preside.

Not contented with enriching the world with the most important discoveries in natural philosophy, your benevolence and liberality of sentiment early engaged you to make provision for exciting a spirit of inquiry into the secret operations of nature; for exalting and refining the genius of America, by the propagation of useful learning; and for qualifying many of her sons to make that illustrious figure which has commanded the esteem and admiration of the most polished nations of Europe.

Among the many benevolent projections which have laid so ample a foundation for the esteem and gratitude of your native country, permit this seminary to reckon her first establishment, upon the solid principles of equal liberty, as one of the most considerable and important: and now, when restored through the influence of our happy constitution, to her original broad and catholic bottom; when enriched by the protection and generous donations of a public-spirited and patriotic assembly; and when florishing under the countenance of the best friends of religion, learning, and liberty in the state; she cannot but promise herself the continued patronage of the evening of that life which divine Providence has so eminently distinguished.

May the same indulgent Providence yet continue your protracted life, enriched and crowned with the best of blessings, to nurse and cherish this favorite child of your youth; that the future sons of science in this western world may have additional reason to remember the name of FRANKLIN with gratitude and pleasure.

Signed, in the name and by order of the Faculty, by

Philadelphia, Sept. 16, 1785. JOHN EWING, Provost.

DR. FRANKLIN'S ANSWER.

I am greatly obliged, Gentlemen, by your kind congratulations on my safe arrival.

It gives me extreme pleasure to find, that seminaries of learning are increasing in America, and particularly that the university over which you preside, continues to florish. My best wishes will always attend it.

The instruction of youth is one of those employments which to the public are most useful; it ought therefore to be esteemed among the most honorable: its successful exercise does not, however, always meet with the reward it merits,

except in the satisfaction of having contributed to the forming of virtuous and able men for the service of their country.

The constitutional society of Philadelphia, the justices of the city, the officers of the militia, and several other bodies, presented to Dr. Franklin on his arrival, addresses of congratulation nearly similar; and shortly after he received the following letter from that illustrious character, General Washington:

DEAR SIR, *Mount Vernon, Sept.* 25, 1785.

Amid the public gratulations on your safe return to America, after a long absence, and the many eminent services you have rendered it—for which as a benefited person I feel the obligation—permit an individual to join the public voice in expressing his sense of them; and to assure you, that as no one entertains more respect for your character, so none can salute you with more sincerity or with greater pleasure than I do on the occasion.

I am, dear Sir,
your most obedient and most humble servant,

The Hon. Dr. Franklin. G. WASHINGTON.

Soon after Dr. Franklin's arrival in Philadelphia, he was chosen a member of the supreme executive council of that city; and shortly after was elected president of the state of Pennsylvania; which honorable situation he filled the whole time allowed by the constitution, viz. three successive years.

When a general convention of the states was summoned to meet in Philadelphia, in 1787, for the purpose of giving more energy to the government of the Union, by revising and amending the articles of confederation, Dr. Franklin was appointed a delegate from the state of Pennsylvania to that convention; as such he signed the new constitution agreed on for the United States, and gave it the most unequivocal marks of his approbation.

The following *Notes* and *Remarks*, drawn up by Dr. Franklin, together with the substance of some of his *speeches* in this convention, will be found of considerable interest; and on this account, as well as to show his general ideas on government, are here inserted.

Proposal for Consideration.

June 26, 1787.

That the legislatures of the several states shall choose and send an equal number of delegates, namely who are to compose the second branch of the general legislature.

That in all cases or questions wherein the sovereignties of the individual states may be affected, or whereby their authority over their own citizens may be diminished, or the authority of the general government within the several states augmented, each state shall have *equal* suffrage.

That in the appointment of all civil officers of the *general government*, in the election of whom the second branch may by the constitution have part, each state shall have *equal* suffrage.

That in fixing the salaries of such officers, in all allowances for public services, and generally in all appropriations and

dispositions of money to be drawn out of the general treasury, and in all laws for supplying the treasury, the delegates of the several states shall have suffrage *in proportion to the sums their respective states had actually contributed to that treasury from their taxes or internal excises.*

That in case general duties should be laid by impost on goods imported, a liberal estimation shall be made of the amount of such impost paid in the price of the commodities by those states that import but little, and a proportionate addition shall be allowed of suffrage to such states, and an equal diminution of the suffrage of the states importing.

REMARKS.

THE steady course of public measures is most probably to be expected from a number.

A single person's measures may be good. The successor often differs in opinion of those measures, and adopts others. Often is ambitious of distinguishing himself by opposing them, and offering new projects. One is peaceably disposed; another may be fond of war, &c. Hence foreign states can never have that confidence in the treaties or friendship of such a government, as in that which is conducted by a number.

The single head may be sick; who is to conduct the public affairs in that case? When he dies, who are to conduct till a new election? If a council, why not continue them? Shall we not be harassed with factions for the election of successors? become, like Poland, weak from our dissensions?

Consider the present distracted condition of Holland. They had at first a stadtholder, the Prince of Orange, a man of undoubted and great merit. They found some inconveniences, however, in the extent of powers annexed to that office, and exercised by a single person. On his death, they resumed and divided those powers among the states and cities; but

there has been a constant struggle since between that family and the nation. In the last century, the then Prince of Orange found means to inflame the populace against their magistrates, excite a general insurrection, in which an excellent minister, *Dewit*, was murdered, all the old magistrates displaced, and the stadtholder re-invested with all the former powers. In this century, the father of the present stadtholder having married a British princess, did, by exciting another insurrection, force from the nation a decree that the stadtholdership should be thenceforth hereditary in his family. And now his son, being suspected of having favored England in the late war, and thereby lost the confidence of the nation, is forming an internal faction to support his power, and reinstate his favorite the Duke of Brunswick; and he holds up his family alliances with England and Prussia to terrify opposition. It was this conduct of the stadtholder which induced the states to recur to the protection of France, and put their troops under a French, rather than the stadtholder's German general, the Duke of Brunswick. And this is the source of all the present disorders in Holland, which, if the stadtholder has abilities equal to his inclinations, will probably, after a ruinous and bloody civil war, end in establishing an hereditary monarchy in his family.

SPEECH of DR. FRANKLIN in the Convention, on the subject of SALARIES.

SIR,

It is with reluctance that I rise to express a disapprobation of any one article of the plan, for which we are so much obliged to the honorable gentleman who laid it before us. From its first reading I have borne a good-will to it, and in general wished it success. In this particular of

salaries to the executive branch, I happen to differ; and as my opinion may appear new and chimerical, it is only from a persuasion that it is right, and from a sense of duty that I hazard it. The committee will judge of my reasons when they have heard them, and their judgment may possibly change mine. I think I see inconveniences in the appointment of salaries: I see none in refusing them; but, on the contrary, great advantages.

Sir, there are two passions which have a powerful influence in the affairs of men. These are *ambition* and *avarice;* the love of power, and the love of money. Separately, each of these has great force in prompting men to action; but when united in view of the same object, they have in many minds the most violent effects. Place before the eyes of such men a post of *honor* that shall at the same time be a place of *profit,* and they will move heaven and earth to obtain it. The vast number of such places it is that renders the British government so tempestuous. The struggles for them are the true source of all those factions which are perpetually dividing the nation, distracting its councils, hurrying it sometimes into fruitless and mischievous wars, and often compelling a submission to dishonorable terms of peace.

And of what kind are the men that will strive for this profitable pre-eminence, through all the bustle of cabal, the heat of contention, the infinite mutual abuse of parties, tearing to pieces the best of characters? It will not be the wise and moderate, the lovers of peace and good order, the men fittest for the trust. It will be the bold and the violent, the men of strong passions and indefatigable activity in their selfish pursuits. These will thrust themselves into your government, and be your rulers. And these, too, will be mistaken in the expected happiness of their situation; for their vanquished competitors of the same spirit, and from the same motives, will perpetually be endeavoring to distress their administra-

tion, thwart their measures, and render them odious to the people.

Besides these evils, sir, though we may set out in the beginning with moderate salaries, we shall find that such will not be of long continuance. Reasons will never be wanting for proposed augmentations; and there will always be a party for giving more to the rulers, that the rulers may be able in return to give more to them. Hence, as all history informs us, there has been in every state and kingdom, a constant kind of warfare between the governing and the governed; the one striving to obtain more for its support, and the other to pay less. And this has alone occasioned great convulsions, actual civil wars, ending either in dethroning of the princes or enslaving of the people. Generally, indeed, the ruling power carries its point, and we see the revenues of princes constantly increasing, and we see that they are never satisfied, but always in want of more. The more the people are discontented with the oppression of taxes, the greater need the prince has of money to distribute among his partizans, and pay the troops that are to suppress all resistance, and enable him to plunder at pleasure. There is scarce a king in a hundred who would not, if he could, follow the example of Pharaoh,—get first all the people's money, then all their lands, and then make them and their children servants for ever. It will be said, that we do not propose to establish kings.—I know it.—But there is a natural inclination in mankind to kingly government. It sometimes relieves them from aristocratic domination. They had rather have one tyrant than five hundred. It gives more of the appearance of equality among citizens; and that they like. I am apprehensive, therefore,—perhaps too apprehensive,—that the government of these states may in future times end in a monarchy. But this catastrophe, I think, may be long delayed, if in our proposed system we do not sow the

seeds of contention, faction, and tumult, by making our posts of honor places of profit. If we do, I fear that though we employ at first a number and not a single person, the number will in time be set aside; it will only nourish the fœtus of a king, (as the honorable gentleman from Virginia very aptly expressed it,) and a king will the sooner be set over us.

It may be imagined by some that this is an Utopian idea, and that we can never find men to serve us in the executive department, without paying them well for their services. I conceive this to be a mistake. Some existing facts present themselves to me, which incline me to a contrary opinion. The high sheriff of a county in England is an honorable office, but it is not a profitable one. It is rather expensive, and therefore not sought for. But yet it is executed, and well executed, and usually by some of the principal gentlemen of the county. In France, the office of counsellor, or member of their judiciary parliaments, is more honorable. It is therefore purchased at a high price: there are indeed fees on the law proceedings, which are divided among them, but these fees do not amount to more than three per cent. on the sum paid for the place. Therefore as legal interest is there at five per cent., they in fact pay two per cent. for being allowed to do the judiciary business of the nation, which is at the same time entirely exempt from the burthen of paying them any salaries for their services. I do not, however, mean to recommend this as an eligible mode for our judiciary department. I only bring the instance to show that the pleasure of doing good and serving their country, and the respect such conduct entitles them to, are sufficient motives with some minds to give up a great portion of their time to the public, without the mean inducement of pecuniary satisfaction.

Another instance is that of a respectable society, who have made the experiment, and practised it with success, now more

than a hundred years.—I mean the Quakers. It is an established rule with them that they are not to go to law, but in their controversies they must apply to their monthly, quarterly, and yearly meetings. Committees of these sit with patience to hear the parties, and spend much time in composing their differences. In doing this, they are supported by a sense of duty, and the respect paid to usefulness. It is honorable to be so employed, but it was never made profitable by salaries, fees, or perquisites. And indeed in all cases of public service, the less the profit the greater the honor.

To bring the matter nearer home, have we not seen the greatest and most important of our offices, that of general of our armies, executed for eight years together, without the smallest salary, by a patriot whom I will not now offend by any other praise; and this through fatigues and distresses in common with the other brave men his military friends and companions, and the constant anxieties peculiar to his station? and shall we doubt finding three or four men in all the United States, with public spirit enough to bear sitting in peaceful council, for perhaps an equal term, merely to preside over our civil concerns, and see that our laws are duly executed? Sir, I have a better opinion of our country. I think we shall never be without a sufficient number of wise and good men to undertake and execute, well and faithfully, the office in question.

Sir, the saving of the salaries, that may at first be proposed, is not an object with me. The subsequent mischiefs of proposing them are what I apprehend. And therefore it is that I move the amendment. If it is not seconded or accepted, I must be contented with the satisfaction of having delivered my opinion frankly, and done my duty.

SPEECH of Dr. Franklin in a Committee of the Convention.

On the Proportion of Representation and Votes.

MR. CHAIRMAN,

It has given me great pleasure to observe that till this point, *the Proportion of Representation*, came before us, our debates were carried on with great coolness and temper. If any thing of a contrary kind has on this occasion appeared, I hope it will not be repeated; for we are sent hither to *consult*, not to *contend*, with each other; and declarations of a fixed opinion and of determined resolutions never to change it, neither enlighten nor convince us. Positiveness and warmth on one side naturally beget their like on the other; and tend to create and augment discord and division in a great concern, wherein harmony and union are extremely necessary, to give weight to our counsels, and render them effectual in promoting and securing the common good.

I must own that I was originally of opinion it would be better if every member of congress, or our national council, were to consider himself rather as a representative of the whole, than as an agent for the interests of a particular state, in which case the proportion of members for each state would be of less consequence, and it would not be very material whether they voted by states or individually. But as I find this is not to be expected, I now think the number of representatives should bear some proportion to the number of the represented, and that the decisions should be by the majority of members, not by the majority of states. This is objected to from an apprehension that the greater states would then swallow up the smaller. I do not at present clearly see what advantage the greater states could propose to themselves by swallowing the smaller, and therefore do not apprehend they

would attempt it. I recollect that in the beginning of this century, when the union was proposed of the two kingdoms, England and Scotland, the Scotch patriots were full of fears, that unless they had an equal number of representatives in parliament, they should be ruined by the superiority of the English. They finally agreed, however, that the different proportions of importance in the union of the two nations should be attended to; whereby they were to have only forty members in the house of commons, and only sixteen of their peers were to sit in the house of lords; a very great inferiority of numbers! And yet to this day, I do not recollect that any thing has been done in the parliament of Great Britain to the prejudice of Scotland; and whoever looks over the lists of public officers civil and military of that nation, will find, I believe, that the North Britons enjoy at least their full proportion of emolument.

But, sir, in the present mode of voting by states, it is equally in the power of the lesser states to swallow up the greater; and this is mathematically demonstrable. Suppose, for example, that seven smaller states had each three members in the house, and the six larger to have, one with another, six members. And that upon a question, two members of each smaller state should be in the affirmative, and one in the negative, they will make

Affirmatives	14	Negatives	7
And that all the large states should be unanimously in the negative, they would make		Negatives	36
		In all	43

It is then apparent that the 14 carry the question against the 43, and the minority overpowers the majority, contrary to the common practice of assemblies in all countries and ages.

The greater states, sir, are naturally as unwilling to have their property left in the disposition of the smaller, as the smaller are to leave theirs in the disposition of the greater. An honorable gentleman has, to avoid this difficulty, hinted a proposition of equalising the states. It appears to me an equitable one; and I should, for my own part, not be against such a measure, if it might be found practicable. Formerly, indeed, when almost every province had a different constitution, some with greater, others with fewer privileges, it was of importance to the borderers, when their boundaries were contested, whether, by running the division lines, they were placed on one side or the other. At present, when such differences are done away, it is less material. The interest of a state is made up of the interests of its individual members. If they are not injured, the state is not injured. Small states are more easily, well, and happily governed, than large ones. If, therefore, in such an equal division, it should be found necessary to diminish Pennsylvania, I should not be averse to the giving a part of it to New Jersey, and another to Delaware; but as there would probably be considerable difficulties in adjusting such a division; and however equally made at first, it would be continually varying by the augmentation of inhabitants in some states, and their more fixed proportion in others, and thence frequent occasion for new divisions; I beg leave to propose for the consideration of the committee another mode, which appears to me to be as equitable, more easily carried into practice, and more permanent in its nature.

Let the weakest state say what proportion of money or force it is able and willing to furnish for the general purposes of the union.

Let all the others oblige themselves to furnish each an equal proportion.

The whole of these joint supplies to be absolutely in the disposition of congress.

The congress in this case to be composed of an equal number of delegates from each state:

And their decisions to be by the majority of individual members voting.

If these joint and equal supplies should, on particular occasions, not be sufficient, let congress make requisitions on the richer and more powerful states for further aids, to be voluntarily afforded; so leaving each state the right of considering the necessity and utility of the aid desired, and of giving more or less, as it should be found proper.

This mode is not new; it was formerly practised with success by the British government, with respect to Ireland and the colonies. We sometimes gave even more than they expected or thought just to accept; and in the last war, carried on while we were united, they gave us back in five years a million sterling. We should probably have continued such voluntary contributions, whenever the occasions appeared to require them for the common good of the empire. It was not till they chose to force us, and to deprive us of the merit and pleasure of voluntary contributions, that we refused and resisted. Those contributions however were to be disposed of at the pleasure of a government in which we had no representative. I am therefore persuaded that they will not be refused to one in which the representation shall be equal.

My learned colleague has already mentioned that the present mode of voting by states, was submitted to originally by congress, under a conviction of its impropriety, inequality and injustice. This appears in the words of their resolution. It is of Sept. 6, 1774. The words are,

"Resolved, That in determining questions in this congress, each colony or province shall have one vote: the congress

not being possessed of, or at present able to procure, materials for ascertaining the importance of each colony."

Dr. Franklin's Motion for Prayers in the Convention.

Mr. President,

The small progress we have made after four or five weeks' close attendance and continual reasonings with each other, our different sentiments on almost every question, several of the last producing as many *Noes* as *Ayes*, is, methinks, a melancholy proof of the imperfection of the human understanding. We indeed seem to *feel* our own want of political wisdom, since we have been running all about in search of it. We have gone back to ancient history for models of government, and examined the different forms of those republics, which, having been originally formed with the seeds of their own dissolution, now no longer exist; and we have viewed modern states all round Europe, but find none of their constitutions suitable to our circumstances.

In this situation of this assembly, groping, as it were, in the dark, to find political truth, and scarce able to distinguish it when presented to us, how has it happened, sir, that we have not hitherto once thought of humbly applying to the Father of Lights to illuminate our understandings?—In the beginning of the contest with Britain, when we were sensible of danger, we had daily prayers in this room for the divine protection! Our prayers, sir, were heard;—and they were graciously answered. All of us, who were engaged in the struggle, must have observed frequent instances of a superintending Providence in our favor. To that kind Providence we owe this happy opportunity of consulting in peace on the means of establishing our future national felicity. And have

we now forgotten that powerful friend?—or do we imagine we no longer need its assistance?—I have lived, sir, a long time; and the longer I live, the more convincing proofs I see of this truth, *That* God *governs in the affairs of men!* And if a sparrow cannot fall to the ground without his notice, is it probable that an empire can rise without his aid?—We have been assured, sir, in the Sacred Writings, that "except the Lord build the house, they labor in vain that build it." I firmly believe this; and I also believe, that without his concurring aid, we shall succeed in this political building no better than the builders of Babel: we shall be divided by our little partial local interests, our projects will be confounded, and we ourselves shall become a reproach and a bye-word down to future ages. And what is worse, mankind may hereafter, from this unfortunate instance, despair of establishing government by human wisdom, and leave it to chance, war, and conquest.

I therefore beg leave to move,

That henceforth prayers, imploring the assistance of Heaven, and its blessing on our deliberations, be held in this assembly every morning before we proceed to business; and that one or more of the clergy of this city be requested to officiate in that service.

[Note by Dr. Franklin.] "*The convention, except three or four persons, thought prayers unnecessary!!*"

Dr. Franklin's Speech in the Convention at the conclusion of its deliberations.

Mr. President,

I confess that I do not entirely approve of this constitution at present; but, sir, I am not sure I shall never

approve it: for, having lived long, I have experienced many instances of being obliged, by better information or fuller consideration, to change opinions even on important subjects which I once thought right, but found to be otherwise. It is therefore that the older I grow, the more apt I am to doubt my own judgment of others. Most men indeed, as well as most sects in religion, think themselves in possession of all truth, and that wherever others differ from them it is so far error. Steele, a Protestant, in a dedication, tells the Pope, that the only difference between our two churches in their opinions of the certainty of their doctrine, is, the Romish Church is *infallible*, and the Church of England *is never in the wrong*. But though many private persons think almost as highly of their own infallibility as of that of their sect, few express it so naturally as a certain French lady, who, in a little dispute with her sister, said,—but I meet with nobody but myself that is *always* in the right. "*Je ne trouve que moi qui aie toujours raison!*"

In these sentiments, sir, I agree to this constitution, with all its faults,—if they are such; because I think a general government necessary for us, and there is no *form* of government but what may be a blessing to the people, if well administered; and I believe further, that this is likely to be well administered for a course of years, and can only end in despotism, as other forms have done before it, when the people shall become so corrupted as to need despotic government, being incapable of any other. I doubt too whether any other convention we can obtain, may be able to make a better constitution: for, when you assemble a number of men, to have the advantage of their joint wisdom, you inevitably assemble with those men all their prejudices, their passions, their errors of opinion, their local interests, and their selfish views. From such an assembly can a *perfect*

production be expected? It therefore astonishes me, sir, to find this system approaching so near to perfection as it does; and I think it will astonish our enemies, who are waiting with confidence to hear that our councils are confounded like those of the builders of Babel, and that our states are on the point of separation only to meet hereafter for the purpose of cutting one another's throats. Thus I consent, sir, to this constitution because I expect no better, and because I am not sure that it is not the best. The opinions I have had of its *errors* I sacrifice to the public good. I have never whispered a syllable of them abroad. Within these walls they were born, and here they shall die. If every one of us in returning to our constituents were to report the objections he has had to it, and endeavor to gain partizans in support of them, we might prevent its being generally received, and thereby lose all the salutary effects and great advantages resulting naturally in our favor among foreign nations, as well as among ourselves, from our real or apparent unanimity. Much of the strength and efficiency of any government in procuring and securing happiness to the people, depends on *opinion*, on the general opinion of the goodness of that government, as well as of the wisdom and integrity of its governors. I hope therefore, for your own sakes, as a part of the people, and for the sake of our posterity, that we shall act heartily and unanimously in recommending this constitution, wherever our influence may extend, and turn our future thoughts and endeavors to the means of having it *well administered*.

On the whole, sir, I cannot help expressing a wish that every member of the convention who may still have objections to it, would with me on this occasion doubt a little of his own infallibility, and to make *manifest* our *unanimity* put his name to this instrument.

Then the motion was made for adding the last formula, viz.

"Done in convention by the unanimous consent," &c. which was agreed to and added accordingly.[1]

Dr. Franklin's private sentiments with respect to this new constitution, may be gathered from the following extracts from letters he wrote about this time to some of his friends.

To M. Le Veillard, *at Passy.*

Philadelphia, Feb. 17th, 1788.

* * * * * *

——"I sent you with my last a copy of the new constitution proposed for the United States, by the late general convention. I sent one also to our excellent friend the Duke de la Rochefoucault.

I attended the business of the convention faithfully for four months. Enclosed you have the last speech I made in it.[2]—Six states have already adopted the constitution, and there is now little doubt of its being accepted by a sufficient number to carry it into execution, if not immediately by the whole.—It has however met with great opposition in some of the states; for we are at present a nation of politicians. And though there is a general dread of giving too much *power* to our *governors*,

[1] See the Constitution in Appendix, No. 6.

[2] The foregoing, p. 195.

I think we are more in danger from the little obedience in the *governed*."

* * * * * *

TO THE SAME.

April 22, 1788.

* * * * * *

——" It is very possible, as you suppose, that all the articles of the proposed new government will not remain unchanged after the first meeting of congress. I am of opinion with you, that the *two* chambers were not necessary, and I disliked some other articles that are in, and wished for some that are not in, the proposed plan: I nevertheless hope it may be adopted, though I shall have nothing to do with the execution of it, being determined to quit all public business with my present employment.[1] At 83 one certainly has a right to *ambition* repose."

* * * * * *

TO THE SAME.

MY DEAR FRIEND, *Philadelphia, June* 8, 1788.

I received a few days ago your kind letter of the 3rd January.

The *arrêt* in favor of the *non-catholiques* gives pleasure here, not only from its present advantages, but as it is a good step towards general toleration, and to the abolishing in time all party

[1] President of the state of Pennsylvania.

spirit among Christians, and the mischiefs that have so long attended it. Thank God, the world is growing wiser and wiser; and as by degrees men are convinced of the folly of wars for religion, for dominion, or for commerce, they will be happier and happier.

Eight states have now agreed to the proposed new constitution; there remain five who have not yet discussed it; their appointed times of meeting not being yet arrived. Two are to meet this month, the rest later. One more agreeing it will be carried into execution. Probably some will not agree at present, but time may bring them in; so that we have little doubt of its becoming general, perhaps with some corrections. As to your friend's taking a share in the management of it, his age and infirmities render him unfit for the business, as the business would be for him. After the expiration of his presidentship, which will now be in a few months, he is *determined* to engage no more in public affairs, even if required; but his countrymen will be too reasonable to require it. You are not so considerate; you are an hard task-master. You insist on his writing *his life*, already a long work, and at the same time would have him continually employed in augmenting the subject, while the time shortens in which the work is to be executed. General Washington is the man that all our eyes are fixed on for *president*, and what little influence I may have, is devoted to him. FRANKLIN.

To the Duke de la Rochefoucault.

Philadelphia, Oct. 22, 1788.

"Our public affairs begin to wear a more quiet aspect. The disputes about the faults of the new constitution are subsided. The first congress will probably mend the principal ones, and future congresses the rest. That which you mentioned did not pass unnoticed in the convention. Many, if I remember right, were for making the president incapable of being chosen after the first four years; but the majority were for leaving the electors free to choose whom they pleased; and it was alleged that such incapacity might tend to make the president less attentive to the duties of his office, and to the interests of the people, than he would be if a second choice depended on their good opinion of them. We are *making experiments* in politics; what knowledge we shall gain by them will be more certain, though perhaps we may hazard too much in *that* mode of acquiring it."

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To M. Le Veillard.

* * * * * *

Oct. 24, 1788.

"Our affairs mend daily, and are getting into good order very fast. Never was any measure so thoroughly discussed as our proposed new constitution. Many objections were made to it in the public papers, and answers to those objections. Much

party heat there was, and some violent personal abuse. I kept out of the dispute, and wrote only one little paper on the occasion, which I enclose.[1]

[1] Supposed to be the following.

A Comparison of the Conduct of the Ancient JEWS, *and of the* ANTIFEDERALISTS *in the United States of America.*

A zealous advocate for the proposed Federal Constitution, in a certain public assembly, said, that "the repugnance of a great part of mankind to good government was such, that he believed, that if an angel from heaven was to bring down a constitution formed there for our use, it would nevertheless meet with violent opposition."—He was reproved for the supposed extravagance of the sentiment; and he did not justify it.—Probably it might not have immediately occurred to him that the experiment had been tried, and that the event was recorded in the most faithful of all histories, the Holy Bible; otherwise he might, as it seems to me, have supported his opinion by that unexceptionable authority.

The Supreme Being had been pleased to nourish up a single family, by continued acts of his attentive providence, till it became a great people: and having rescued them from bondage by many miracles performed by his servant Moses, he personally delivered to that chosen servant, in presence of the whole nation, a constitution and code of laws for their observance; accompanied and sanctioned with promises of great rewards, and threats of severe punishments, as the consequence of their obedience or disobedience.

This constitution, though the Deity himself was to be at its head (and it is therefore called by political writers a *Theocracy*) could not be carried into execution but by the means of his ministers: Aaron and his sons were therefore commissioned to be, with Moses, the first established ministry of the new government.

You seem to be too apprehensive about our president's being perpetual. Neither he nor we have

One would have thought, that the appointment of men who had distinguished themselves in procuring the liberty of their nation, and had hazarded their lives in openly opposing the will of a powerful monarch who would have retained that nation in slavery, might have been an appointment acceptable to a grateful people; and that a constitution framed for them by the Deity himself, might, on that account, have been secure of an universal welcome reception. Yet there were in every one of the thirteen tribes, some discontented, restless spirits who were continually exciting them to reject the proposed new government, and this from various motives.

Many still retained an affection for Egypt, the land of their nativity; and these, whenever they felt any inconvenience or hardship, though the natural and unavoidable effect of their change of their situation, exclaimed against their leaders as the authors of their trouble; and were not only for returning into Egypt, but for stoning their deliverers.[1] Those inclined to idolatry, were displeased that their golden calf was destroyed. Many of the chiefs thought the new constitution might be injurious to their particular interests, that the profitable places would be *engrossed by the families and friends of Moses and Aaron*, and others equally well-born excluded.[2]—In Josephus, and the Talmud, we learn some particulars, not so fully narrated in the Scripture. We are there told, "That Corah was ambitious of the priesthood, and offended that it was conferred on Aaron; and this, as he said, by the authority of Moses only, *without the consent of the people.*" He accused Moses of having, by various

[1] Numbers, chap. xiv.

[2] Numbers, chap. xvi. ver. 3. "And they gathered themselves together against Moses and Aaron, and said unto them, Ye take too much upon you, seeing all the congregations are holy, every one of them,—wherefore then lift ye up yourselves above the congregation?"

any such intentions: of what danger there may be of such an event we are all aware, and shall take

artifices, fraudulently obtained the government, and deprived the people of their liberties; and of conspiring with Aaron to perpetuate the tyranny in their family. Thus, though Corah's real motive was the supplanting of Aaron, he persuaded the people that he meant only the public good; and they, moved by his insinuations, began to cry out, 'Let us maintain the common liberty of our *respective tribes*; we have freed ourselves from the slavery imposed upon us by the Egyptians, and shall we suffer ourselves to be made slaves by Moses? If we must have a master, it were better to return to Pharaoh, who at least fed us with bread and onions, than to serve this new tyrant, who by his operations has brought us into danger of famine.' Then they called in question the *reality of his conference* with God; and objected to the privacy of their meetings, and the preventing any of the people from being present at the colloquies, or even approaching the place, as grounds of great suspicion. They accused Moses also of *peculation*; as embezzling part of the golden spoons and the silver chargers that the princes had offered at the dedication of the altar,[1] and the offerings of gold by the common people,[2] as well as most of the poll tax;[3] and Aaron they accused of pocketing much of the gold of which he pretended to have made a molten calf. Besides peculation, they charged Moses with *ambition*; to gratify which passion, he had, they said, deceived the people, by promising to bring them to a land flowing with milk and honey; instead of doing which, he had brought them *from* such a land; and that he thought light of all this mischief, provided he could make himself an *absolute prince*.[4] That to support the new dignity with splendor in his

[1] Numbers, chap. vii. [2] Exodus, chap. xxxv. ver. 22.

[3] Numbers, chap. iii. and Exodus, chap. xxx.

[4] Numbers, chap. xvi. ver. 13. "Is it a small thing that thou hast brought us up out of a land flowing with milk and honey, to kill us in the wilderness, except thou make thyself altogether a prince over us?"

care effectually to prevent it. The choice is from four years to five years; the appointments will be

family, the partial poll tax already levied and given to Aaron [1] was to be followed by a general one,[2] which would probably be augmented from time to time, if he were suffered to go on promulgating new laws, on pretence of new occasional revelations of the divine will, till their whole fortunes were devoured by that aristocracy."

Moses denied the charge of peculation; and his accusers were destitute of proofs to support it; though *facts*, if real, are in their nature capable of proof. "I have not," said he, (with holy confidence in the presence of God,) "I have not taken from this people the value of an ass, nor done them any other injury." But his enemies had made the charge, and with some success among the populace; for no kind of accusation is so readily made, or easily believed, by knaves, as the accusation of knavery.

In fine, no less than two hundred and fifty of the principal men "famous in the congregation, men of renown," [3] heading and exciting the mob, worked them up to such a pitch of phrensy, that they called out, "Stone 'em, stone 'em, and thereby secure our liberties; and let us choose other captains that may lead us back into Egypt, in case we do not succeed in reducing the Canaanites!"

On the whole it appears, that the Israelites were a people jealous of their newly-acquired liberty, which jealousy was in itself no fault; but, that when they suffered it to be worked upon by artful men, pretending public good, with nothing really in view but private interest, they were led to oppose the establishment of the new constitution, whereby they brought upon themselves much inconvenience and misfortune. It farther appears from the same inestimable history, that when, after many ages, that

[1] Numbers, chap. iii. [2] Exodus, chap. xxx. [3] Numbers, chap. xvi.

small: thus we may change our president if we do not like his conduct, and he will have less inducement to struggle for a new election. As to the *two* chambers I am of your opinion, that *one alone* would be better;[1] but, my dear friend, nothing in

constitution was become old and much abused, and an amendment of it was proposed, the populace, as they had accused Moses of the ambition of making himself a prince, and cried out, Stone him, stone him; so, excited by their high priests and scribes, they exclaimed against the Messiah, that he aimed at becoming the king of the Jews, and cried, Crucify him, crucify him. From all which we may gather, that popular opposition to a public measure is no proof of its impropriety, even though the opposition be excited and headed by men of distinction.

To conclude, I beg I may not be understood to infer, that our general convention was divinely inspired when it formed the new federal constitution, merely because that constitution has been unreasonably and vehemently opposed; yet I must own I have so much faith in the general government of the world by Providence, that I can hardly conceive a transaction of such momentous importance to the welfare of millions now existing, and to exist in the posterity of a great nation, should be suffered to pass without being in some degree influenced, guided, and governed by that omnipotent, omnipresent, and beneficent Ruler, in whom all inferior spirits live and move and have their being. B. F.

[1] Some time after the date of this letter, when alterations were meditated in the constitution of *Pennsylvania*, Dr. Franklin wrote a paper in which this opinion is strongly advocated: and his principles of government are there further elucidated. See APPENDIX, No. 7.

human affairs and schemes is perfect; and perhaps this is the case of our opinions.

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To the Hon. Charles Carrol, Esq.

Member of Congress. New York.

Dear Friend, *Philadelphia, May* 25, 1789.

I am glad to see by the papers that our grand machine has at length begun to work. I pray God to bless and guide its operations. If any form of government is capable of making a nation happy, ours I think bids fair now for producing that effect. But after all, much depends upon the people who are to be governed. We have been guarding against an evil that old states are most liable to, *excess of power* in the rulers; but our present danger seems to be *defect of obedience* in the subjects. There is hope, however, from the enlightened state of this age and country, we may guard effectually against that evil as well as the rest.

My grandson, William Temple Franklin, will have the honor of presenting this line; he accompanied me to France, and remained with me during my mission: I beg leave to recommend him to your notice, and that you would believe me, my dear friend, yours most affectionately,

B. Franklin.

Dr. Franklin having served the full period limited by the constitution of the state of Pennsylvania for the continuance in office of its presidents, and his infirmities and desire of repose increasing, in Oct. 1788 he retired wholly from public affairs: he thus noticed the circumstance, in a letter to his friend, the Duke de la Rochefoucault.

Philadelphia, Oct. 22, 1788.

* * * * * *

——"Having now finished my turn of being president, and promising myself to engage no more in public business, I hope to enjoy the small remains of life that are allowed me, in the repose I have so long wished for. I purpose to employ it in completing the personal history you mention.[1] It is now brought down to my fiftieth year.[2] What is to follow will be of more important transactions: but it seems to me what is done will be of more general use to young readers, exemplifying strongly the effects of *prudent* and *imprudent conduct* in the commencement of a life of business."

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Though Dr. Franklin had every reason to be well satisfied with the reception he met on his

[1] The present Memoirs of his Life.

[2] Close of PART II. It is to be lamented the subsequent state of his health did not enable him to continue it further.

return to the United States, from his *fellow-citizens;* he was by no means so with the *general government.* This he fully and feelingly expresses in a confidential letter to his particular and worthy friend Charles Thomson, Esq., secretary of congress, of which the following is a copy.

Philadelphia, Dec. 29, 1788.

DEAR OLD FRIEND,

Enclosed I send a letter to the president of congress [1] for the time being, which, if you find nothing improper in it, or that in regard to me you could wish changed or amended, I would request you to present. I rely much on your friendly counsel, as you must be better acquainted with persons and circumstances than I am: and I suppose there will be time enough before the new congress is formed to make any alterations you may advise, though if presented at all it should be to the old one.

In the copy of my letter to Mr. Barclay you may observe that mention is made of some "considerable articles which I have not charged in my accounts with congress, but on which I should expect from their equity some consideration." That you may have some information what those articles are, I enclose also a "*Sketch of my services to the United States,*" wherein you will find mention

[1] This letter is missing.

of the *extra services* I performed that do not appertain to the office of plenipotentiary, viz. as judge of admiralty, as consul before the arrival of Mr. Barclay, as banker in examining and accepting the multitude of bills of exchange, and as secretary for several years, none being sent to me, though other ministers were allowed such assistance.

I must own, I did hope that as it is customary in Europe to make some liberal provision for ministers when they return home from foreign service, the congress would at least have been kind enough to have shown their approbation of my conduct by a grant of a small tract of land in their western country, which might have been of use and some honor to my posterity. And I cannot but still think they will do something of the kind for me whenever they shall be pleased to take my services into consideration, as I see by their minutes that they have allowed Mr. Lee handsomely for his services in England, before his appointment to France, in which services I and Mr. Bolland co-operated with him, and have had no such allowance: and since his return, he has been very properly rewarded with a good place, as well as my friend Mr. Jay: though these are trifling compensations in comparison with what was granted by the king to M. Gerard on his return from America. But how different is what has happened to me. On my return from England in 1775, the congress bestowed on me the office of postmaster-

general, for which I was very thankful. It was indeed an office I had some kind of right to, as having previously greatly enlarged the revenue of the post by the regulations I had contrived and established, while I possessed it under the crown. When I was sent to France I left it in the hands of my son-in-law, who was to act as my deputy. But soon after my departure it was taken from me and given to Mr. Hazard. When the English ministry formerly thought fit to deprive me of the office, they left me, however, the privilege of receiving and sending my letters free of postage, which is the usage when a postmaster is not displaced for misconduct in the office: but in America, I have ever since had the postage demanded of me, which since my return from France has amounted to above fifty pounds, much of it occasioned by my having acted as minister there.

When I took my grandson, William Temple Franklin, with me to France, I purposed, after giving him the French language, to educate him in the study and practice of the law. But by the repeated expectations given me of a secretary and constant disappointments, I was induced, and indeed obliged, to retain him with me, to assist in the secretary's office, which disappointments continued till my return, by which time, so many years of the opportunity of his studying the law were lost, and his habits of life became so different, that it appeared no longer advisable; and I then

considering him as brought up in the diplomatic line, and well qualified by his knowledge in that branch for the employ of a secretary at least, (in which opinion I was not alone, for three of my colleagues, without the smallest solicitation from me, chose him secretary of the negotiation for treaties, which they had been empowered to do) took the liberty of recommending him to the congress for their protection. This was the only favor I ever asked of them: and the only answer I received was, a resolution superseding him, and appointing Colonel Humphreys in his place; a gentleman who, though he might have indeed a good deal of military merit, certainly had none in the diplomatic line, and had neither the French language, nor the experience, nor the address proper to qualify him for such an employment.[1]

This is all to yourself only, as a private friend; for I have not, nor ever shall, make any public complaint: and even if I could have foreseen such unkind treatment from congress, their refusing me thanks would not in the least have abated my zeal for the cause, and ardor in support of it. I know something of the nature of such changeable assemblies, and how little successors know of the services that have been rendered to the corps before their admission, or feel themselves obliged by

[1] Personal interest or party influence on this, as on subsequent occasions, overpowered just pretensions.

such services; and what effect in obliterating a sense of them, during the absence of the servant in a distant country, the artful and reiterated malevolent insinuations of one or two envious and malicious persons may have on the minds of members, even of the most equitable, candid, and honorable dispositions; and therefore I will pass these reflections into oblivion.

My good friend, excuse, if you can, the trouble of this letter; and if the reproach thrown on republics, that *they are apt to be ungrateful*,[1] should ever unfortunately be verified with respect to *your* services, remember that you have a right to unbosom yourself in communicating your griefs to your ancient friend, and most obedient humble servant,[2]

B. FRANKLIN.

Charles Thomson, Esq. Secretary to Congress.

(*Enclosed in the foregoing.*)

SKETCH OF THE SERVICES OF B. FRANKLIN TO THE UNITED STATES OF AMERICA.

In England,

He combated the Stamp Act, and his writings in the

[1] "*Ploravere suis non respondere favorem*
Speratum meritis." HOR. lib. ii. ep. 1.
is applicable not only to the heroes particularly specified, but to the valiant and wise in many ages and countries.

[2] From this, as from former similar representations, nothing was obtained, either from *private friendship* or *public gratitude!*

papers against it, with his examination in parliament, were thought to have contributed much to its repeal.

He opposed the Duty Act, and though he could not prevent its passing, he obtained of Mr. Townshend an omission of several articles, particularly salt.

In the subsequent difference he wrote and published many papers, refuting the claim of parliament to tax the colonies.

He opposed all the oppressive acts.

He had two secret negotiations with the ministers for their repeal, of which he has written a narrative.[1] In this he offered payment for the destroyed tea, at his own risk, in case they were repealed.

He was joined with Messrs. Bolland and Lee in all the applications to government for that purpose.—Printed several pamphlets at his own considerable expense against the then measures of government, whereby he rendered himself obnoxious, was disgraced before the privy council,[2] deprived of a place in the Post-office of 300l. sterling a-year, and obliged to resign his agencies, viz.

of Pennsylvania . .	£. 500
of Massachusetts . .	400
of New Jersey . . .	100
of Georgia	200
	£. 1200

In the whole 1500l. sterling per annum.

Orders were sent to the king's governors not to sign any warrants on the treasury for the orders of his salaries; and though he was not actually dismissed by the colonies that

[1] See Vol. I. p. 430, of these Memoirs.

[2] See APPENDIX, No. 5.

employed him, yet, thinking the known malice of the court against him, rendered him less likely than others to manage their affairs to their advantage, he judged it to be his duty to withdraw from their service, and leave it open for less exceptionable persons, which saved them the necessity of removing him.

Returning to America, he encouraged the Revolution. Was appointed chairman of the committee of safety, where he projected the *chevaux de frize* for securing Philadelphia, then the residence of congress.

Was sent by congress to head-quarters near Boston with Messrs. Harrison and Lynch in 1775, to settle some affairs with the northern governments and General Washington.

In the spring of 1776, was sent to Canada with Messrs. Chase and Carrol, passing the Lakes while they were not yet free from ice.—In Canada, was with his colleagues instrumental in redressing sundry grievances, and thereby reconciling the people more to our cause. He there advanced to General Arnold and other servants of congress, then in extreme necessity, 353l. in gold out of his own pocket, on the credit of congress, which was of great service at that juncture, in procuring provisions for our army.

Being at the time he was ordered on this service upwards of seventy years of age, he suffered in his health by the hardships of this journey; lodging in the woods, &c. in so inclement a season; but being recovered, the congress in the same year ordered him to France. Before his departure, he put all the money he could raise, between three and four thousand pounds, into their hands; which demonstrating his confidence, encouraged others to lend their money in support of the cause.

He made no bargain for appointments, but was promised by a vote, the *net* salary of 500l. sterling per annum, his ex-

penses paid, and to be assisted by a secretary, who was to have 1,000*l.* per annum, to include all contingencies.

When the Pennsylvania assembly sent him to England in 1764, on the same salary, they allowed him one year's advance for his passage, and in consideration of the prejudice to his private affairs that must be occasioned by his sudden departure and absence. He has had no such allowance from congress, was badly accommodated in a miserable vessel, improper for those northern seas, (and which actually foundered in her return) was badly fed, so that on his arrival he had scarce strength to stand.

His services to the states as commissioner, and afterwards as minister plenipotentiary, are known to congress, as may appear in his correspondence. His *extra services* may not be so well known, and therefore may be here mentioned. No secretary ever arriving, the business was in part before, and entirely when the other commissioners left him, executed by himself, with the help of his grandson, who at first was only allowed clothes, board and lodging, and afterwards a salary never exceeding 300*l.* a-year, (except while he served as secretary to the commissioners for peace) by which difference in salary, continued many years, the congress saved, *if they accept it*, 700*l. sterling a-year.*

He served as *Consul* entirely several years, till the arrival of Mr. Barclay, and even after, as that gentleman was obliged to be much and long absent in Holland, Flanders, and England; during which absence, what business of the kind occurred, still came to Mr. F.

He served, though without any special commission for the purpose, as a *Judge of Admiralty*; for the congress having sent him a quantity of blank commissions for privateers, he granted them to cruisers fitted out in the ports of France, some of them manned by old smugglers, who knew every

creek on the coast of England, and, running all round the island, distressed the British coasting trade exceedingly, and raised their general insurance. One of those privateers alone, the *Black Prince*, took in the course of a year 75 sail! All the papers taken in each prize brought in, were in virtue of an order of council sent up to Mr. F., who was to examine them, judge of the legality of the capture, and write to the admiralty of the port, that he found the prize good, and that the sale might be permitted. These papers, which are very voluminous, he has to produce.

He served also as *Merchant*, to make purchases, and direct the shipping of stores to a very great value, for which he has charged no commission.

But the part of his service which was the most fatiguing and confining, was that of receiving and accepting, after a due and necessary examination, the bills of exchange drawn by congress for interest money, to the amount of *two millions and a half of livres annually*; multitudes of the bills very small, each of which, the smallest, gave as much trouble in examining, as the largest. And this careful examination was found absolutely necessary, from the constant frauds attempted by presenting *seconds* and *thirds* for payment after the *firsts* had been discharged. As these bills were arriving more or less by every ship and every post, they required constant attendance. Mr. F. could make no journey for exercise, as had been annually his custom, and the confinement brought on a malady that is likely to afflict him while he lives.

In short, though he has always been an active man, he never went through so much business during eight years, in any part of his life, as during those of his residence in France; which however he did not decline till he saw peace happily made, and found himself in the 80th year of his age; when, if ever, a man has some right to expect repose.

Some time after Dr. Franklin's return to Philadelphia, a society for *Political Inquiries* was formed in that city, of which he was chosen president; and on account of his bodily infirmities, the meetings were held at his own house. Two or three of the essays read in this society were published; its existence, however, was not of long continuance.

Two other societies were also established in Philadelphia about this period, founded on the principles of the most liberal and refined humanity: one "*for alleviating the miseries of public prisons*," and the other, "*for promoting the abolition of slavery, the relief of free negroes unlawfully held in bondage, and the improvement of the condition of the African race.*"—Of each of these Dr. Franklin was president.[1] He had as early as the year

[1] The following ADDRESS and PLAN of the latter Society are supposed to have been drawn up by Dr. Franklin.

An Address to the Public, from the Pennsylvania Society for promoting the Abolition of Slavery, and the Relief of Free Negroes, unlawfully held in Bondage.

IT is with peculiar satisfaction we assure the friends of humanity, that in prosecuting the design of our association, our endeavors have proved successful, far beyond our most sanguine expectations.

Encouraged by this success, and by the daily progress of that luminous and benign spirit of liberty, which is diffusing itself throughout the world, and humbly hoping for the continuance of the divine blessing on our labors, we have ventured

1772, strongly expressed his abhorrence of the traffic in slaves, as appears by his letter of the 22d

to make an important addition to our original plan, and do therefore earnestly solicit the support and assistance of all who can feel the tender emotions of sympathy and compassion, or relish the exalted pleasure of beneficence.

Slavery is such an atrocious debasement of human nature, that its very extirpation, if not performed with solicitous care, may sometimes open a source of serious evils.

The unhappy man, who has long been treated as a brute animal, too frequently sinks beneath the common standard of the human species. The galling chains that bind his body, do also fetter his intellectual faculties, and impair the social affections of his heart. Accustomed to move like a mere machine, by the will of a master, reflection is suspended; he has not the power of choice; and reason and conscience have but little influence over his conduct, because he is chiefly governed by the passion of fear. He is poor and friendless—perhaps worn out by extreme labor, age, and disease.

Under such circumstances, freedom may often prove a misfortune to himself, and prejudicial to society.

Attention to emancipated black people, it is therefore to be hoped, will become a branch of our national police; but as far as we contribute to promote this emancipation, so far that attention is evidently a serious duty incumbent on us, and which we mean to discharge to the best of our judgment and abilities.

To instruct, to advise, to qualify those who have been restored to freedom, for the exercise and enjoyment of civil liberty, to promote in them habits of industry, to furnish them with employments suited to their age, sex, talents, and other circumstances, and to procure their children an education calculated for their future situation in life; these are the great outlines of the annexed plan, which we have adopted, and which we conceive will essentially promote the public good, and the

August in that year, to Mr. Anthony Benezett, inserted in the 1*st Part* of his "*Private Correspondence.*"

happiness of these our hitherto too much neglected fellow-creatures.

A plan so extensive cannot be carried into execution without considerable pecuniary resources, beyond the present ordinary funds of the society. We hope much from the generosity of enlightened and benevolent freemen, and will gratefully receive any donations or subscriptions for this purpose, which may be made to our treasurer, James Starr, or to James Pemberton, chairman of our committee of correspondence.

Signed, by order of the society,

B. FRANKLIN, President.

Philadelphia, 9th of November, 1789.

Plan for Improving the Condition of the Free Blacks.

THE business relative to free blacks shall be transacted by a committee of twenty-four persons, annually elected by ballot, at the meeting of this society, in the month called April; and in order to perform the different services with expedition, regularity, and energy, this committee shall resolve itself into the following sub-committees, viz.:

I.

A committee of inspection, who shall superintend the morals, general conduct, and ordinary situation of the free negroes, and afford them advice and instruction, protection from wrongs, and other friendly offices.

II.

A committee of guardians, who shall place out children and young people with suitable persons, that they may (during a

The labors of both these societies have been crowned with great success, and they continue to

moderate time of apprenticeship or servitude) learn some trade or other business of subsistence. The committee may effect this partly by a persuasive influence on parents and the persons concerned, and partly by co-operating with the laws, which are, or may be enacted for this and similar purposes: in forming contracts on these occasions, the committee shall secure to the society, as far as may be practicable, the right of guardianship over the persons so bound.

III.

A committee of education, who shall superintend the school-instruction of the children and youth of the free blacks: they may either influence them to attend regularly the schools already established in this city, or form others with this view; they shall, in either case, provide, that the pupils may receive such learning as is necessary for their future situation in life; and especially a deep impression of the most important and generally acknowledged moral and religious principles. They shall also procure and preserve a regular record of the marriages, births, and manumissions of all free blacks.

IV.

A committee of employ, who shall endeavor to procure constant employment for those free negroes who are able to work: as the want of this would occasion poverty, idleness, and many vicious habits. This committee will, by sedulous inquiry, be enabled to find common labor for a great number: they will also provide, that such as indicate proper talents, may learn various trades, which may be done by prevailing upon them to bind themselves for such a term of years as shall compensate their masters for the expense and trouble of instruction and maintenance. The committee may attempt the institution of some useful and simple manufactures, which require but little

prosecute with unwearied diligence the laudable designs for which they were established.

According to Dr. Stuber's account, "Dr. Franklin's name, as president of the Abolition Society, was signed to the memorial presented to the house of representatives of the United States, on the 12th of February, 1789, praying them to exert the full extent of power vested in them by the constitution, in discouraging the traffic of the human species. This was his last public act. In the debates to which this memorial gave rise, several attempts were made to justify the trade. In the Federal Gazette of March 25th, 1790, there appeared an essay, signed HISTORICUS, written by

skill, and also may assist, in commencing business, such as appear to be qualified for it.

Whenever the committee of inspection shall find persons of any particular description requiring attention, they shall immediately direct them to the committee of whose care they are the proper objects.

In matters of a mixed nature, the committees shall confer, and, if necessary, act in concert. Affairs of great importance shall be referred to the whole committee.

The expense incurred by the prosecution of this plan, shall be defrayed by a fund, to be formed by donations or subscriptions, for these particular purposes, and to be kept separate from the other funds of this society.

The committee shall make a report of their proceedings, and of the state of their stock, to the society, at their quarterly meetings, in the months called April and October.

Philadelphia, 26th October, 1789.

Dr. Franklin, in which he communicated a speech, said to have been delivered in the Divan of Algiers, in 1687, in opposition to the prayer of the petition of a sect called *Erika*, or purists, for the abolition of piracy and slavery. This pretended African speech was an excellent parody of one delivered by Mr. Jackson of Georgia. All the arguments urged in favor of negro slavery, are applied with equal force to justify the plundering and enslaving of Europeans. It affords, at the same time, a demonstration of the futility of the arguments in defence of the slave trade, and of the strength of mind and ingenuity of the author, at his advanced period of life. It furnished, too, a no less convincing proof of his power of imitating the style of other times and nations, than his celebrated parable against persecution.[1] And as the latter led many persons to search the Scriptures with a view to find it, so the former caused many persons to search the book-stores and libraries, for the work from which it was said to be extracted."

This piece, of itself so ingenious, and being one of the last compositions of Dr. Franklin, (written only a few weeks previous to his demise) has on these accounts been thought of sufficient interest to be here inserted.

[1] See Part III. Sect. I. "WRITINGS."

To the Editor of the Federal Gazette.

Sir, *March* 23, 1790.

Reading last night in your excellent paper the speech of Mr. Jackson in congress against their meddling with the affair of slavery, or attempting to mend the condition of the slaves, it put me in mind of a similar one made about 100 years since, by Sidi Mehemet Ibrahim, a member of the Divan of Algiers, which may be seen in Martin's Account of his Consulship, *Anno* 1687. It was against granting the petition of the sect called Erika or Purists, who prayed for the abolition of piracy and slavery as being unjust. Mr. Jackson does not quote it, perhaps he has not seen it. If therefore some of its reasonings are to be found in his eloquent speech, it may only show that men's interests and intellects operate and are operated on with surprising similarity in all countries and climates, whenever they are under similar circumstances. The African's speech, as translated, is as follows:

"*Allah Bismillah, &c. God is great, and Mahomet is his prophet.*

"Have these *Erika* considered the consequences of granting their petition? If we cease our cruises against the Christians, how shall we be furnished with the commodities their countries produce; and which are so necessary for us? If we forbear to make slaves of their people, who in this hot climate are to cultivate our lands? Who are to perform the common labors of our city, and in our families? Must we not then be our own slaves? And is there not more compassion and more favor due to us as Mussulmen than to these Christian dogs? We have now above 50,000 slaves in and near Algiers! this number, if not kept up by fresh supplies, will soon diminish and be gradually annihilated. If we then

cease taking and plundering the infidel ships, and making slaves of the seamen and passengers, our lands will become of no value for want of cultivation; the rents of houses in the city will sink one-half; and the revenue of government arising from its share of prizes be totally destroyed! And for what? to gratify the whims of a whimsical sect, who would have us not only forbear making more slaves, but even to manumit those we have. But who is to indemnify their masters for the loss? Will the state do it? Is our treasury sufficient? Will the *Erika* do it? Can they do it? Or would they, to do what they think justice to the slaves, do a greater injustice to the owners? And if we set our slaves free, what is to be done with them? Few of them will return to their countries; they know too well the greater hardships they must there be subject to: they will not embrace our holy religion; they will not adopt our manners; our people will not pollute themselves by intermarrying with them: must we maintain them as beggars in our streets; or suffer our properties to be the prey of their pillage? for men accustomed to slavery will not work for a livelihood when not compelled. And what is there so pitiable in their present condition? Were they not slaves in their own countries? Are not Spain, Portugal, France, and the Italian states, governed by despots, who hold all their subjects in slavery, without exception? Even England treats its sailors as slaves; for they are, whenever the government pleases, seized, and confined in ships of war, condemned not only to work, but to fight, for small wages, or a mere subsistence, not better than our slaves are allowed by us. Is their condition then made worse by their falling into our hands? No; they have only exchanged one slavery for another, and I may say a better: for here they are brought into a land where the sun of Islamism gives forth its light, and shines in full splendor, and they have an opportunity of

making themselves acquainted with the true doctrine, and thereby saving their immortal souls. Those who remain at home have not that happiness. Sending the slaves home then would be sending them out of light into darkness.—I repeat the question, what is to be done with them? I have heard it suggested that they may be planted in the wilderness, where there is plenty of land for them to subsist on, and where they may florish as a free state; but they are, I doubt, too little disposed to labor without compulsion, as well as too ignorant to establish a good government, and the wild Arabs would soon molest and destroy or again enslave them. While serving us, we take care to provide them with every thing, and they are treated with humanity. The laborers in their own country are, as I am well informed, worse fed, lodged and clothed. The condition of most of them is therefore already mended, and requires no further improvement. Here their lives are in safety. They are not liable to be impressed for soldiers, and forced to cut one another's Christian throats as in the wars of their own countries. If some of the religious mad bigots who now tease us with their silly petitions, have in a fit of blind zeal freed their slaves, it was not generosity, it was not humanity that moved them to the action; it was from the conscious burthen of a load of sins, and a hope, from the supposed merits of so good a work, to be excused from damnation.—How grossly are they mistaken to suppose slavery to be disallowed by the Alcoran! Are not the two precepts, to quote no more, "*Masters, treat your slaves with kindness; Slaves, serve your masters with cheerfulness and fidelity,*" clear proofs to the contrary? Nor can the plundering of infidels be in that sacred book forbidden, since it is well known from it that God has given the world, and all that it contains, to his faithful Mussulmen, who are to enjoy it of right as fast as they conquer it. Let us then hear no more of this detestable proposition, the manumission of Christian slaves, the

adoption of which would, by depreciating our lands and houses, and thereby depriving so many good citizens of their properties, create universal discontent, and provoke insurrections, to the endangering of government, and producing general confusion. I have therefore no doubt, but this wise council will prefer the comfort and happiness of a whole nation of true believers to the whim of a few *Erika*, and dismiss their petition."

The result was, as *Martin* tells us, that the Divan came to this resolution: "The doctrine that plundering and enslaving the Christians is unjust, is at best *problematical*; but that it is the interest of this state to continue the practice, is clear; therefore let the petition be rejected."

And it was rejected accordingly.

And since like motives are apt to produce in the minds of men like opinions and resolutions, may we not, Mr. Brown, venture to predict, from this account, that the petitions to the parliament of England for abolishing the slave trade, to say nothing of other legislatures, and the debates upon them, will have a similar conclusion? I am, Sir, your constant reader and humble servant, HISTORICUS.

Towards the close of the year 1789, Dr. Franklin received a new and unexpected honor—that of being elected a member of the Imperial Academy of Sciences of St. Petersburgh. It was communicated to him by the following handsome letter (*in English*) from the Princess Daschkaw, the Lady President, whom Dr. Franklin had occasionally met at Paris.

To his Excellency Dr. Benjamin Franklin, &c. &c. Philadelphia.

Dear Sir,

Having always supposed, and even cherished the idea, that you were a member of the Imperial Academy of Sciences, which is at St. Petersburgh under my direction, I was greatly surprised, when reviewing the list of its members some days ago, I did not find your name in the number. I hastened therefore to acquire this honor for the academy, and you were received among its members with an unanimous applause and joy. I beg you, sir, to accept of this title, and to believe that I look upon it as an honor acquired by our academy.

I shall order the patent to be dispatched to you as soon as possible. In the mean time be assured, that it is with the greatest pleasure that I profit of the present occasion to give you token of my regard and veneration for your eminent character, and that I shall always recollect with pride the advantage I had to be personally noticed by you.

With a sincere consideration I am, dear Sir, your most obedient servant, Princess of Daschkaw.

St. Petersburgh, the 4th of Nov. 1789.

Dr. Franklin had formerly received similar honors from several learned societies; among the number, from the Academy of Padua.

The following is a literal translation of the diploma from the latter.

"Zeal in promoting the increase of all kinds of useful knowledge, naturally unites in a general society all those who consecrate their talents to so noble a purpose; and the particular act of electing them into a learned assembly,

is properly but an acknowledgment of the original titles of their relationship.

"Among these Mr. Franklin having distinguished himself eminently, and rendered himself equally memorable in natural philosophy and in politics, the Academy of Sciences, Letters and Arts of Padua, conceive it to be honoring themselves when they number him among the twenty-four illustrious strangers, who by their constitution are to be associated into their body.

"The society will be fully recompensed, if its labors in co-operating for the augmentation of science shall be such as that the eminent persons whom it elects, may not regard among the smallest of literary honors, that which on the part of the society is only a solemn act of adherence to its own judgment, and attention to the acclamations of fame.

"Leopoldo M. M. Caldani, Presidente.

"Matieo Strannoia, Seg. per le Scienze.

"Melchior Cessarotti, Seg. per le Lettere.

"Padova, 20th December, 1781."

During the greatest part of his life, Dr. Franklin had enjoyed an almost uninterrupted state of good health, and this he entirely attributed to his exemplary temperance.

In the year 1735, indeed, he had been seized with a pleurisy, which ended in a suppuration of the left lobe of the lungs, so that he was almost suffocated by the quantity of matter thrown up. But from this, as well as from another attack of the same kind, he recovered so completely, that his breath was not in the least affected.

As he advanced in years, however, he became subject to fits of the gout, to which, in 1782, a

nephritic cholic was superadded. From this time he was also affected with the stone, as well as the gout; and for the last twelve months of his life, these complaints almost entirely confined him to his bed.

Notwithstanding his distressed situation, neither his mental faculties nor his natural cheerfulness ever forsook him. His memory was tenacious to the very last; and he seemed to be an exception to the general rule,—that at a certain period of life, the organs which are subservient to this faculty become callous; a remarkable instance of which is, that he learnt to speak French after he had attained the age of seventy!

In the beginning of April 1790, he was attacked with a fever and complaint of his breast, which terminated his existence. The following account of his last illness was written by his friend and physician, Dr. Jones.

"The stone, with which he had been afflicted for several years, had for the last twelve months confined him chiefly to his bed; and during the extremely painful paroxysms, he was obliged to take large doses of laudanum to mitigate his tortures—still, in the intervals of pain, he not only amused himself with reading and conversing cheerfully with his family, and a few friends who visited him, but was often employed in doing business of a public as well as private nature, with various persons who waited on him for that purpose; and in

every instance displayed, not only that readiness and disposition of doing good, which was the distinguished characteristic of his life, but the fullest and clearest possession of his uncommon mental abilities; and not unfrequently indulged himself in those *jeux d'esprit* and entertaining anecdotes, which were the delight of all who heard him.

"About sixteen days before his death, he was seized with a feverish indisposition, without any particular symptoms attending it, till the third or fourth day, when he complained of a pain in the left breast, which increased till it became extremely acute, attended with a cough and laborious breathing. During this state, when the severity of his pains sometimes drew forth a groan of complaint, he would observe—that he was afraid he did not bear them as he ought—acknowledged his grateful sense of the many blessings he had received from that Supreme Being, who had raised him from small and low beginnings to such high rank and consideration among men—and made no doubt but his present afflictions were kindly intended to wean him from a world, in which he was no longer fit to act the part assigned him. In this frame of body and mind he continued till five days before his death, when his pain and difficulty of breathing entirely left him, and his family were flattering themselves with the hopes of his recovery, when an imposthumation, which had formed itself in his lungs, suddenly burst, and discharged a great

quantity of matter, which he continued to throw up while he had sufficient strength to do it, but as that failed, the organs of respiration became gradually oppressed—a calm lethargic state succeeded; —and, on the 17th of April, 1790, about eleven o'clock at night, he quietly expired; closing a long and useful life of eighty-four years and three months."*

The following account of his funeral, and the honors paid to his memory, is derived from an anonymous source, but is correct.

"All that was mortal of this great man was interred on the 21st of April, in the cemetery of Christ's Church, Philadelphia, in that part adjoining to Arch-street, in order that, if a monument should be erected over his grave, it might be seen to more advantage.

"Never was any funeral so numerously and so respectably attended in any part of the States of America. The concourse of people assembled upon this occasion was immense. All the bells in the city were muffled, and the very newspapers were published with black borders. The body

* Three days previous to his decease, he desired his daughter, Mrs. Bache, to have his bed made; "*in order that he might die in a decent manner*," as was his expression: an idea probably suggested by an acquaintance with the custom of the ancients.—Mrs. Bache having replied, that she hoped he would recover, and live many years longer; he instantly rejoined, "*I hope not.*"

was interred amidst peals of artillery; and nothing was omitted that could display the veneration of the citizens for such an illustrious character.

"The congress ordered a general mourning for one month throughout America: the national assembly of France[1] paid the same compliment for

[1] *National Assembly, 11th June*, 1790.

M. Mirabeau the elder, having demanded and obtained leave to speak, addressed the Assembly as follows:

"FRANKLIN IS DEAD!"

[*A profound silence reigns throughout the hall.*]

"The genius which gave freedom to America, and scattered torrents of light upon Europe, is returned to the bosom of the Divinity!

"The sage whom two worlds claim, the man disputed by the history of the sciences and the history of empires, holds, most undoubtedly, an elevated rank in the human species.

"Political cabinets have but too long notified the death of those who were never great but in their funeral orations; the etiquette of courts has but too long sanctioned hypocritical grief.—Nations ought only to mourn for their benefactors: the representatives of free men ought never to recommend any other than the heroes of humanity to their homage.

"The congress hath ordered a general mourning for one month throughout the fourteen confederated states, on account of the death of Franklin; and America hath thus acquitted her tribute of admiration in behalf of one of the fathers of her constitution.

"Would it not be worthy of you, fellow-legislators, to unite yourselves in this religious act, to participate in this homage rendered in the face of the universe to the rights of man, and to the philosopher who has so eminently propagated the conquest of them throughout the world?

three days; and the commons of Paris, as an extraordinary tribute of honor to his memory, assisted in a body at the funeral oration, delivered by the Abbé Fauchet in the rotunda of the corn-market, which was hung with black, illuminated

"Antiquity would have elevated altars to that mortal who, for the advantage of the human race, embracing both heaven and earth in his vast and extensive mind, knew how to subdue thunder and tyranny!

"Enlightened and free, Europe at least owes its remembrance and its regret to one of the greatest men who has ever served the cause of philosophy and of liberty.

"I propose, that a decree do now pass, enacting, that the National Assembly shall wear mourning during three days, for Benjamin Franklin."

M. M. de la Rochefoucault and La Fayette immediately rose, in order to second this motion.

The Assembly adopted it at first by acclamation; and afterwards decreed, by a large majority, amidst the plaudits of all the spectators, that on Monday the 14th of June it should go into mourning for three days; that the discourse of M. Mirabeau should be printed; and that the president should write a letter of condolence, upon the occasion, to the Congress of America.

The Congress of the United States thus expressed their sentiments in return.

"RESOLVED, *by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be requested to cause to be communicated to the National Assembly of France, the peculiar sensibility of Congress, to the tribute paid to the memory of Benjamin Franklin, by the enlightened and free representa-

with chandeliers, and decorated with devices analogous to the occasion.

"Dr. Smith, provost of the College of Philadelphia, and Mr. Rittenhouse, one of its members, were selected by the Philosophical Society to prepare an eulogium to the memory of its founder; and the subscribers to the city library, who had just erected a handsome building for containing their books, left a vacant niche for a statue of their benefactor.

"This has since been placed there by the munificence of an estimable citizen of Philadelphia. It was imported from Italy; the name of the artist is Francis Lazarini; it is composed of Carara marble, and cost 500 guineas.

"It was the first piece of sculpture of that size, which had been seen in America. Franklin is represented in a standing posture; one arm is supported by means of some books; in his right hand

tives of a great nation, in their decree of the eleventh June, one thousand seven hundred and ninety.

Signed { FRED. AUG. MECHLENBERG, Speaker of the House of Representatives.

Signed { JOHN ADAMS, Vice President of the United States, and President of the Senate.

Approved March the 2d, 1791.

Signed { GEORGE WASHINGTON, President of the United States.

he wields an inverted sceptre, an emblem of his anti-monarchical principles; and in his left, a scroll of paper. He is dressed in a Roman toga. The resemblance is correct: the head is a copy from the excellent bust produced by the chisel of Houdon. The following inscription is engraven on the pedestal:

THIS STATUE
OF
DR. BENJAMIN FRANKLIN
WAS PRESENTED BY
WILLIAM BINGHAM, Esq.
1792.

"Franklin's life," says the anonymous writer of the foregoing, "affords one of the finest moral lessons that can be offered up to the admiration, the applause, or the imitation of mankind.

"As a man, we have beheld him practising and inculcating the virtues of frugality, temperance, and industry.

"As a citizen, we have seen him repelling the efforts of tyranny, and ascertaining the liberty of his countrymen.

"As a legislator, he affords a bright example of a genius soaring above corruption, and continually aiming at the happiness of his constituents.

"As a politician, we survey him, on one hand, acquiring the aid of a powerful nation, by means of his skilful negotiations; and on the other, calling

forth the common strength of a congress of republics, by fixing a central point to which they could all look up, and concentrating their common force, for the purposes of union, harmony, legislation, and defence.

" As a philosopher, his labors and his discoveries are calculated to advance the interests of humanity: he might, indeed, have been justly termed the friend of man, the benefactor of the universe!

" The pursuits and occupations of his early youth afford a most excellent and instructive example to the young; his middle life, to the adult; his advanced years, to the aged. From him the poor may learn to acquire wealth, and the rich to adapt it to the purposes of beneficence.

" In regard to his character, he was rather sententious than fluent; more disposed to listen, than to talk; a judicious, rather than an engaging companion. He was what perhaps every able man is, impatient of interruption; for he used to mention the custom of the Indians with great applause, who, after listening with a profound attention to the observations of each other, preserve a respectful silence for some minutes, before they begin their own reply.

" He was polite in his manners, and never gave a pointed contradiction to the assertions of his friends or his antagonists, but treated every argument with great calmness, and conquered his

adversaries rather by the force of reason than assertion."

The following character of Dr. Franklin, by one of his intimate friends, is so ably and accurately drawn, that we cannot refrain adding it to the foregoing.

"There is, in the character of every distinguished person, something to admire, and something to imitate. The incidents that have marked the life of a great man, always excite curiosity, and often afford improvement. If there be talents which we can never expect to equal, if there be a series of good-fortune which we can never expect to enjoy, we still need not lose the labor of our biographical inquiries. We may probably become acquainted with habits which it may be prudent to adopt—and discover virtues which we cannot fail to applaud. It will be easy for the reader to make a full application of these remarks in his contemplations upon the late celebrated DR. FRANKLIN. By his death, one of the best lights of the world may be said to be extinguished. I shall not attempt any historical details of the life of this illustrious patriot and philosopher, as I have nothing further in view than to make a few comments upon the most striking traits of his character.

"Original genius was peculiarly his attribute. The native faculties of his mind qualified him to penetrate into every science: and his unremitted

diligence left no field of knowledge unexplored. There were no limits to his curiosity. His inquiries were spread over the whole face of nature. But the study of man seemed to be his highest delight: and if his genius had any special bias, it lay in discovering those things that made men wiser and happier. As truth was the sole object of his researches, he was of course no sectary: and as reason was his guide, he embraced no system which that did not authorise. In short, he laid the whole volume of nature open before him, and diligently and faithfully perused it.

"Nor were his political attainments less conspicuous than his philosophical. The ancients usually ranked good-fortune among those circumstances of life which indicate merit. In this view Dr. Franklin is almost unrivalled, having seldom undertaken more than he accomplished. The world are too well acquainted with the events of his political career, to require at this time a particular enumeration of them. It may be presumed the historians of the American revolution will exhibit them in proper colors.

"If Dr. Franklin did not aspire after the splendor of eloquence, it was only because the demonstrative plainness of his manner was superior to it. Though he neither loved political debate, nor excelled in it, he still preserved much influence in public assemblies, and discovered an aptitude in his remarks on all occasions. He was not fond

of taking a leading part in such investigations as could never terminate in any degree of certainty. To come forward in questions which, in their nature, are indefinite, and in their issue problematical, does not comport with the caution of a man who has taught himself to look for demonstration. He reserved his observations for those cases which science could enlighten, and common sense approve. The simplicity of his style was well adapted to the clearness of his understanding. His conceptions were so bright and perfect, that he did not choose to involve them in a cloud of expressions. If he used metaphors, it was to illustrate, and not to embellish the truth. A man, possessing such a lively imagery of ideas, should never affect the arts of a vain rhetorician, whose excellence consists only in a beautiful arrangement of words.

"But whatever claims to eminence Dr. Franklin may have as a politician, or a scholar, there is no point of light, in which his character shines with more lustre, than when we view him as a man or a citizen. He was eminently great in common things. Perhaps no man ever existed, whose life can, with more justice, be denominated useful.—Nothing ever passed through his hands without receiving improvement: and no person ever went into his company without gaining wisdom. His sagacity was so sharp, and his science so various, that, whatever might be the profession or occupa-

tion of those with whom he conversed, he could meet every one upon his own ground. He could enliven every conversation with an anecdote, and conclude it with a moral.

"The whole tenor of his life was a perpetual lecture against the idle, the extravagant, and the proud. It was his principal aim to inspire mankind with a love of industry, temperance, and frugality; and to inculcate such duties as promote the important interests of humanity. He never wasted a moment of time, or lavished a farthing of money, in folly or dissipation. Such expenses as the dignity of his station required, he readily sustained, limiting them by the strictest rules of propriety. Many public institutions experienced his well-timed liberality; and he manifested a sensibility of heart by numerous acts of private charity.

"By a judicious division of time, Dr. Franklin acquired the art of doing every thing to advantage; and his amusements were of such a nature, as could never militate with the main objects of his pursuit. In whatever situation he was placed by chance or design, he extracted something useful for himself or others. His life was remarkably full of incident. Every circumstance of it turned to some valuable account. The maxims which his discerning mind has formed, apply to innumerable cases and characters. Those who move in the lowest, equally with those who move in the most elevated rank in society, may be guided by his instructions. In the

private deportment of his life, he, in many respects, has furnished a most excellent model. His manners were easy and accommodating, and his address winning and respectful. All who knew him speak of him as a most agreeable man; and all who have heard of him applaud him as a very useful one. A man so wise, and so amiable, could not but have many admirers, and many friends."

Dr. Franklin's sentiments respecting death, may be gathered from the following letter written by him to his niece, Miss Hubbard, in condolence on the death of his brother, Mr. *John Franklin*, her father-in-law.

Philadelphia, Feb. 23, 1756.

"We have lost a most dear and valuable relation (and friend).—But, it is the will of God that these mortal bodies be laid aside when the *soul* is to enter into *real life*. Existing here is scarce to be called life; it is rather an embryo-state, a preparative to living; and man is not completely born till he is dead. Why, then, should we grieve that a new child is born among the immortals, a new member added to their happy society?

"We are *spirits!*—That bodies should be lent while they can afford us pleasure, assist us in acquiring knowledge, or doing good to our fellow-creatures, is a kind and benevolent act of God. When they become unfit for these purposes, and

afford us pain instead of pleasure, instead of an aid become an incumbrance, and answer none of the intentions for which they were given, it is equally kind and benevolent that a way is provided, by which we may get rid of them.—*Death* is that way: we ourselves prudently choose a *partial death* in some cases. A mangled painful limb, which cannot be restored, we willingly cut off. He who plucks out a tooth, parts with it freely, since the pain goes with it; and he that quits the *whole body*, parts at once with all the pains, and possibilities of pains and pleasures it was liable to, or capable of making him suffer.

"Our *friend* and *we* are invited abroad on a party of pleasure, *that is to last for ever.* His *chaise* was first ready, and he is gone before us. We could not all conveniently start together; and why should you and I be grieved at this, since we are soon to follow, and *we know where to find him?*"

Dr. Franklin's *general* sentiments of religion, are well depicted in the following extract of a letter, written shortly after his death; addressed to the Editor of these Memoirs.

* * * * * *

——"As I often had the satisfaction of conversing with that immortal sage, your grandsire, in his last illness, the following anecdotes may be of some use, as an additional testimony of facts interesting to mankind. The Doctor had sublime and affecting sentiments of religion. He believed that,

by the invariable laws of God in the moral world, all crimes are punished *either here* or *hereafter;* and that consequently an evil deed can never be profitable *in any case whatever:* he was equally persuaded that *every good act* has its reward. Under a painful disease he expressed a firm confidence, that all the sufferings of this life are but as the *momentary pricking of a pin,* in comparison to the total happiness of our existence: he rejoiced in a speedy approach to the regions of bliss and life eternal. He dwelt with rapture on the felicity of beholding the glorious Father of Spirits, whose essence is incomprehensible to the wisest mortals; of contemplating his works in the higher worlds; and of conversing there with good fellow-creatures from every part of the universe.

"I have the honor to be, with great respect, Sir,

Your most obedient humble servant,

NICHOLAS COLLIN.

"P. S. The literal expressions are marked by italics."

With regard to Dr. Franklin's *particular* opinions on some religious points, they may be ascertained in the 1st part of these memoirs, as well as from several of his letters on the subject, in his "PRIVATE CORRESPONDENCE:" particularly in his *Answer to the Reverend Dr. Stiles;*[1] which contains, in a few lines, his *Religious Creed:* and this written during his last illness and only a short time previous to his death. Other papers expressive of his religious sentiments, will be found in the selection of his *Political, Miscellaneous* and *Philosophical Writings,* forming the continuation and completion of these Memoirs.

[1] March 1, 1790. PART I.

The following epitaph was written by Dr. Franklin for himself, when he was only *twenty three years of age*, as appears by the original (with various corrections) found among his papers, and from which this is a faithful copy.

[*Epitaph written* 1728.]

The Body
of
BENJAMIN FRANKLIN,
Printer,
(Like the cover of an old book,)
Its contents torn out,
And stript of its lettering and gilding)
Lies here, food for worms.
But the work shall not be lost,
For it will (as he believed) appear once more,
In a new, and more elegant edition,
Revised and corrected
by
THE AUTHOR.

Among Dr. Franklin's papers were also found the following lines, written likewise by himself, only *six years* previous to his decease; and intitled

B. F.'s ADIEU!

If Life's compared to a Feast,
Near fourscore years I've been a guest:

I've been regaled with the best,
And feel quite satisfied.
'Tis time that I retire to rest:
Landlord, I thank ye! Friends, good night!
April 22, 1784.

The following are extracts from the will and codicil of Dr. Franklin:

* * * * * *

"With regard to my books, those I had in France and those I left in Philadelphia, being now assembled together here, and a catalogue made of them, it is my intention to dispose of the same as follows. My History of the Academy of Sciences in sixty or seventy volumes quarto, I give to the Philosophical Society of Philadelphia, of which I have the honor to be president. My collection in folio of *Les Arts et les Métiers*, I give to the American Philosophical Society established in New England, of which I am a member. My quarto edition of the same *Arts et Métiers*, I give to the Library Company of Philadelphia.—Such and so many of my books as I shall mark on the said catalogue with the name of my grandson *Benjamin Franklin Bache*, I do hereby give to him, and such and so many of my books as I shall mark in the said catalogue with the name of my grandson *William Bache*, I do hereby give to him, and such as shall be marked with the name of *Jonathan Williams*, I hereby give to my cousin of that name.—The residue and remainder of all my books, manuscripts, and papers, I do give to my grandson *William Temple Franklin*. My share in the Library Company of Philadelphia, I give to my grandson *Benjamin Franklin Bache*, confiding that he will permit his brothers and sisters to share in the use of it.

I was born in Boston, New England, and owe my first instructions in literature to the free grammar schools established there: I therefore give one hundred pounds sterling to my executors, to be by them, the survivors or survivor of them, paid over to the managers or directors of the free schools in my native town of Boston, to be by them, or those person or persons who shall have the superintendence and management of the said schools, put out to interest, and so continued at interest for ever, which interest annually shall be laid out in silver medals, and given as honorary rewards annually by the directors of the said free schools for the encouragement of scholarship in the said schools, belonging to the said town, in such manner as to the discretion of the select men of the said town shall seem meet.—Out of the salary that may remain due to me as president of the state, I do give the sum of two thousand pounds to my executors, to be by them, the survivors or survivor of them, paid over to such person or persons as the legislature of this state by an act of assembly shall appoint to receive the same in trust, to be employed for making the river Schuylkill navigable.

* * * * * *

"During the number of years I was in business, as a stationer, printer, and postmaster, a great many small sums became due to me for books, advertisements, postage of letters and other matters, which were not collected, when in 1757 I was sent by the assembly to England as their agent, and by subsequent appointments continued there till 1775, when on my return I was immediately engaged in the affairs of congress, and sent to France in 1776, where I remained nine years, not returning till 1785, and the said debts not being demanded in such a length of time, are become in a manner obsolete, yet are nevertheless justly due. These, as they are

stated in my great folio ledger E, I bequeath to the contributors of the Pennsylvania hospital, hoping that those debtors, and the descendants of such as are deceased, who now, as I find, make some difficulty of satisfying such antiquated demands, as just debts, may however be induced to pay or give them as charity to that excellent institution. I am sensible that much must inevitably be lost, but I hope something considerable may be received. It is possible, too, that some of the parties charged may have existing old unsettled accounts against me, in which case the managers of the said hospital will allow and deduct the amount or pay the balances if they find it against me.

* * * * * *

"I request my friends Henry Hill, esquire, John Jay, esq., Francis Hopkinson, esquire, and Mr. Edward Duffield of Benfield, in Philadelphia county, to be the executors of this my last will and testament, and I hereby nominate and appoint them for that purpose.

I would have my body buried with as little expense or ceremony as may be."

* * * * * *

Philadelphia, July 17, 1788.

CODICIL.

"I Benjamin Franklin, in the foregoing or annexed last will and testament named, having further considered the same, do think proper to make and publish the following codicil or addition thereto.

It having long been a fixed political opinion of mine, that in a democratical state there ought to be no offices of profit, for the reasons I had given in an article of my drawing in our constitution; it was my intention when I accepted the office of president to devote the appointed salary to some public

uses; accordingly, I had already, before I made my will in July last, given large sums of it to colleges, schools, building of churches, &c. and in that will I bequeathed two thousand pounds more to the state, for the purpose of making Schuylkill navigable: but understanding since, that such a sum will do but little towards accomplishing such a work, and that the project is not likely to be undertaken for many years to come, and having entertained another idea that I hope may be more extensively useful, I do hereby revoke and annul that bequest, and direct that the certificates I have for what remains due to me of that salary, be sold towards raising the sum of two thousand pounds sterling, to be disposed of as I am now about to order.

It has been an opinion, that he who receives an estate from his ancestors, is under some kind of obligation to transmit the same to his posterity; this obligation does not lie on me who never inherited a shilling from any ancestor or relation. I shall, however, if it is not diminished by some accident before my death, leave a considerable estate among my descendants and relations. The above observation is made merely as some apology to my family, for my making bequests that do not appear to have any immediate relation to their advantage.

I was born in Boston, New England, and owe my first instructions in literature to the free grammar schools established there: I have therefore already considered those schools in my will. But I am also under obligations to the state of Massachusetts, for having, unasked, appointed me formerly their agent in England, with a handsome salary, which continued some years, and although I accidentally lost in their service, by transmitting Governor Hutchinson's letters, much more than the amount of what they gave me, I do not think that ought in the least to diminish my gratitude.—I have considered that among artisans good apprentices are most likely to make good citizens, and having myself been bred to a ma-

nual art, printing, in my native town, and afterwards assisted to set up my business in Philadelphia by kind loans of money from two friends there, which was the foundation of my fortune, and of all the utility in life that may be ascribed to me, I wish to be useful, even after my death, if possible, in forming and advancing other young men that may be serviceable to their country in both those towns.—To this end I devote two thousand pounds sterling, which I give, one thousand thereof to the inhabitants of the town of Boston, in Massachusetts, and the other thousand to the inhabitants of the city of Philadelphia, in trust to and for the uses, intents, and purposes, hereinafter mentioned and declared.—The said sum of one thousand pounds sterling, if accepted by the inhabitants of the town of Boston, shall be managed under the direction of the elect men, united with the ministers of the oldest episcopalian, congregational, and presbyterian churches in that town, who are to let out the same upon interest at five per cent. per annum, to such young married artificers, under the age of twenty-five years, as have served an apprenticeship in the said town, and faithfully fulfilled the duties required in their indentures, so as to obtain a good moral character from at least two respectable citizens, who are willing to become their sureties in a bond with the applicants for the repayment of the monies so lent with interest, according to the terms hereinafter prescribed, all which bonds are to be taken for Spanish milled dollars, or the value thereof in current gold coin, and the managers shall keep a bound book or books wherein shall be entered the names of those who shall apply for and receive the benefit of this institution, and of their sureties, together with the sums lent, the dates, and other necessary and proper records respecting the business and concerns of this institution. And as these loans are intended to assist young married artificers in setting up their business, they are to be proportioned by the discretion of the managers, so as not to exceed sixty

pounds sterling to one person, nor to be less than fifteen pounds. And if the number of appliers so entitled, should be so large as that the sum will not suffice to afford to each as much as might otherwise not be improper, the proportion to each shall be diminished, so as to afford to every one some assistance. These aids may therefore be small at first; but as the capital increases by the accumulated interest, they will be more ample. And in order to serve as many as possible in their turn, as well as to make the repayment of the principal borrowed more easy, each borrower shall be obliged to pay, with the yearly interest, one-tenth part of the principal; which sums of principal and interest so paid in, shall be again let out to fresh borrowers.—And as it is presumed that there will always be found in Boston virtuous and benevolent citizens willing to bestow a part of their time in doing good to the rising generation by superintending and managing this institution gratis, it is hoped that no part of the money will at any time be dead, or be diverted to other purposes, but be continually augmenting by the interest; in which case there may in time be more than the occasion in Boston shall require, and then some may be spared to the neighboring or other towns in the said state of Massachusetts, who may desire to have it, such towns engaging to pay punctually the interest and the proportions of the principal annually to the inhabitants of the town of Boston. If this plan is executed, and succeeds as is projected, without interruption for one hundred years, the sum will then be one hundred and thirty-one thousand pounds, of which I would have the managers of the donations to the town of Boston then lay out at their discretion one hundred thousand pounds in public works, which may be judged of most general utility to the inhabitants; such as fortifications, bridges, aqueducts, public buildings, baths, pavements, or whatever may make living in the town more convenient to its people, and render it more agreeable to

strangers, resorting thither for health or a temporary residence.—The remaining thirty-one thousand pounds I would have continued to be let out on interest in the manner above directed, for another hundred years, as I hope it will have been found that the institution has had a good effect on the conduct of youth, and been of service to many worthy characters and useful citizens. At the end of this second term, if no unfortunate accident has prevented the operation, the sum will be four million and sixty-one thousand pounds sterling, of which I leave one million sixty-one thousand pounds to the disposition of the inhabitants of the town of Boston, and three millions to the disposition of the government of the state, not presuming to carry my views farther.

All the directions herein given respecting the disposition and management of the donation to the inhabitants of Boston, I would have observed respecting that to the inhabitants of Philadelphia, only as Philadelphia is incorporated, I request the corporation of that city to undertake the management agreeably to the said directions, and I do hereby vest them with full and ample powers for that purpose: and having considered that the covering its ground-plat with buildings and pavements, which carry off most of the rain, and prevent its soaking into the earth and renewing and purifying the springs, whence the water of the wells must gradually grow worse, and in time be unfit for use, as I find has happened in all old cities, I recommend that at the end of the first hundred years, if not done before, the corporation of the city employ a part of the hundred thousand pounds in bringing by pipes the water of Wissahickon Creek into the town, so as to supply the inhabitants, which I apprehend may be done without great difficulty, the level of that creek being much above that of the city, and may be made higher by a dam; I also recommend making the Schuylkill completely navigable. At the end of the second hundred years, I would have the disposition of the

four million and sixty-one thousand pounds divided between the inhabitants of the city of Philadelphia and the government of Pennsylvania, in the same manner as herein directed with respect to that of the inhabitants of Boston and the government of Massachusetts.—It is my desire that this institution should take place and begin to operate within one year after my decease, for which purpose due notice should be publicly given previous to the expiration of that year, that those for whose benefit this establishment is intended, may make their respective applications; and I hereby direct my executors, the survivors or survivor of them, within six months after my decease, to pay over the said sum of two thousand pounds sterling to such persons as shall be duly appointed by the select men of Boston and the corporation of Philadelphia, to receive and take charge of their respective sums of one thousand pounds each, for the purposes aforesaid.—Considering the accidents to which all human affairs and projects are subject in such a length of time, I have perhaps too much flattered myself with a vain fancy, that these dispositions, if carried into execution, will be continued without interruption, and have the effects proposed; I hope however that if the inhabitants of the two cities should not think fit to undertake the execution, they will at least accept the offer of these donations as a mark of my good will, a token of my gratitude, and a testimony of my earnest desire to be useful to them, even after my departure. I wish indeed that they may both undertake to endeavor the execution of the project; because I think that though unforeseen difficulties may arise, expedients will be found to remove them, and the scheme be found practicable. If one of them accepts the money with the conditions, and the other refuses, my will then is that both sums be given to the inhabitants of the city accepting the whole, to be applied to the same purpose and under the same regulations directed for the separate parts, and if both refuse the money

of course remains in the mass of my estate, and it is to be disposed of therewith according to my will, made the seventeenth day of July, 1788.—I wish to be buried by the side of my wife, if it may be, and that a marble stone, to be made by Chambers, six feet long, four feet wide, plain, with only a small moulding round the upper edge, and this inscription:

Benjamin
&
Deborah
} Franklin.

178 . be placed over us both.

"My fine crabtree walking-stick, with a gold head curiously wrought in the form of the cap of liberty, I give to my friend and the friend of mankind, General Washington.—If it were a sceptre, he has merited it and would become it.—It was a present to me from that excellent woman Madame de Forback, the Dowager Duchess of Deux Ponts, connected with some verses which should go with it."

* * * * * *

Philadelphia, 23d June, 1789.

END OF MEMOIRS.

SUPPLEMENT

TO

MEMOIRS:

COMPRISING

Characters, Eulogiums, and Anecdotes

OF

DR. FRANKLIN,

SELECTED FROM VARIOUS WRITERS.

WITH

AN APPENDIX.

CHARACTERS, EULOGIUMS, &c.

OF

DR. FRANKLIN.

Letter from Dr. Price to a Gentleman in America.

DEAR SIR, *Hackney, June* 19, 1790.

I AM hardly able to tell you how kindly I take the letters with which you favor me. Your last, containing an account of the death of our excellent friend, Dr. Franklin, and the circumstances attending it, deserves my particular gratitude. The account which he has left of his life will show, in a striking example, how a man, by talents, industry, and integrity, may rise from obscurity to the first eminence and consequence in the world; but it brings his history no lower than the year 1757, and I understand, that since he sent over the copy which I have read, he has been able to make no additions to it. It is with a melancholy regret I think of his death; but to death we are all bound by the irreversible order of nature, and in looking forward to it, there is comfort in being able to reflect—that we have not

lived in vain, and that all the useful and virtuous shall meet in a better country beyond the grave.

Dr. Franklin, in the last letter I received from him, after mentioning his age and infirmities, observes, that it has been kindly ordered by the Author of nature, that, as we draw nearer the conclusion of life, we are furnished with more helps to wean us from it, among which one of the strongest is the loss of dear friends. I was delighted with the account you gave in your letter of the honor shown to his memory at Philadelphia, and by congress; and yesterday I received a high additional pleasure, by being informed, that the national assembly of France had determined to go into mourning for him.—What a glorious scene is opened there! The annals of the world furnish no parallel to it.

I am, with great respect, your obliged and very humble servant, RICHARD PRICE.

Extract of a Letter from the Hon. Thomas Jefferson, Esq. to Dr. William Smith of Philadelphia.[1]

I FEEL both the wish and the duty to communicate, in compliance with your request, whatever within my knowledge might render justice to the memory of our great countryman, Dr. Franklin, in whom philosophy has to deplore one of its principal luminaries extinguished. But my opportunities of knowing the interesting facts of his life have not been equal to my desire of making them known.

I can only therefore testify in general, that there appeared to me more respect and veneration attached to the character of Dr. Franklin in France, than to that of any other person

[1] Extracted from the Eulogium on Dr. Franklin, delivered by Dr. W. Smith, before the American Philosophical Society.

in the same country, foreign or native. I had opportunities of knowing particularly, how far these sentiments were felt by the foreign ambassadors and ministers at the court of Versailles. The fable of his capture by the Algerines, propagated by the English newspapers, excited no uneasiness, as it was seen at once to be a fabrication to please certain readers; but nothing could exceed the anxiety of his diplomatic brethren on a subsequent report of his death, which, although premature, bore some marks of authenticity.

I found the ministers of France equally impressed with his talents and integrity. The Count de Vergennes particularly gave me repeated and unequivocal demonstrations of his entire confidence in him.

When he left Passy, it seemed as if the village had lost its patriarch. On taking leave of the court, which he did by letter, the King ordered him to be handsomely complimented, and furnished him with a litter and mules of his own, the only kind of conveyance the state of his health could bear.

The succession to Dr. Franklin, at the court of France, was an excellent school of humility to me. On being presented to any one, as the minister of America, the commonplace question to me was, "*C'est vous, Monsieur, qui remplacez le Docteur Franklin?*"—is it you, sir, who replace Dr. Franklin? I generally answered, "No one can *replace* him, sir; I am only his successor."

I could here relate a number of those *bons-mots*, with which he was used to charm every society, having heard many of them; but these are not your object. Particulars of greater dignity happened not to occur, during his stay of nine months after my arrival in France.

A little before that time, Argand had invented his celebrated lamp, in which the flame is spread into a hollow cylinder, and thus brought into contact with the air, within as well as without. Dr. Franklin had been on the point of

the same discovery. The idea had occurred to him; but he had tried a bullrush as a wick, which did not succeed. His occupations did not permit him to repeat and extend his trials to the introduction of a larger column of air than could pass through the stem of a bullrush.

About that time, also, the King of France gave him a signal testimony of respect, by joining him with some of the most illustrious men of the nation to examine that *ignis-fatuus* of philosophy, the animal magnetism of the maniac, Mesmer; the pretended effects of which had astonished all Paris. From Dr. Franklin's hand, in conjunction with his brethren of the learned committee, that compound of fraud and folly was unveiled, and received its death-wound. After this nothing very interesting was before the public, either in philosophy or politics, during his stay; and he was principally occupied in winding up his affairs, and preparing for his return to America.

These small offerings to the memory of our great and dear friend (whom time will be making still greater, while it is spunging us from its records) must be accepted by you, sir, in that spirit of love and veneration for him, in which they are made: and not according to their insignificancy in the eyes of a world, which did not want this mite to fill up the measure of his worth.

His death was an affliction which was to happen to us at some time or other. We have reason to be thankful he was so long spared; that the most useful life should be the longest also; that it was protracted so far beyond the ordinary span allotted to humanity, as to avail us of his wisdom and virtue, in the establishment of our freedom in the west; and to bless him with a view of its dawn in the east, where men seemed till now to have learned every thing—but *how to be free.*

Extract of a Letter from Dr. Joseph Priestley to the Editor of the Monthly Magazine, dated Northumberland, Nov. 10, 1782.[1]

SIR,

I HAVE just read in the Monthly Review, vol. 36, p. 357, that the late Mr. Pennant said of Dr. Franklin, that, "living under the protection of our mild government, he was secretly playing the incendiary, and too successfully inflaming the minds of our fellow-subjects in America, till that great explosion happened, which for ever disunited us from our happy colonies."

As it is in my power, as far as my testimony will be regarded, to refute this charge, I think it due to our friendship to do it. It is probable, that no person now living was better acquainted with Dr. Franklin, and his sentiments on all subjects of importance, than myself, for several years before the American war. I think I knew him as well as one man can generally know another. At that time I spent the winters in London, in the family of the Marquis of Lansdown, and few days passed without my seeing more or less of Dr. Franklin; and the last day that he passed in England, having given out that he should depart the day before, we spent together, without any interruption, from morning till night.

Now he was so far from wishing for a rupture with the colonies, that he did more than most men would have done, to prevent it.[2] His constant advice to his countrymen, he always said, was, "to bear every thing from England, however unjust;" saying, that "it could not last long, as they would soon outgrow all their hardships." On this account Dr. Price, who then corresponded with some of the principal

[1] Inserted in the number for February, 1803.

[2] See negociations to prevent a breach, Part III. of these MEMOIRS.

persons in America, said, he began to be very unpopular there. He always said, "If there must be a war, it will be a war of ten years, and I shall not live to see the end of it." This I have heard him say many times.

It was at his request, enforced by that of Dr. Fothergill, that I wrote an anonymous pamphlet, calculated to show the injustice and impolicy of a war with the colonies, previous to the meeting of a new parliament. As I then lived at Leeds, he corrected the press himself, and, to a passage, in which I lamented the attempt to establish arbitrary power in so large a part of the British empire, he added the following clause: "*to the imminent danger of our most valuable commerce, and of that national strength, security, and felicity, which depend on* UNION *and on* LIBERTY."

The unity of the British empire, in all its parts, was a favorite idea of his. He used to compare it to a beautiful China vase, which, if once broken, could never be put together again: and so great an admirer was he, at the time, of the British constitution, that he said he saw no inconvenience from its being extended over a great part of the globe. With these sentiments he left England; but when, on his arrival in America, he found the war begun, and that there was no receding, no man entered more warmly into the interests of what he then considered as *his country*, in opposition to that of Great Britain. Three of his letters to me (one written immediately on his landing) will prove this.[1]

By many persons Dr. Franklin is considered as having been a cold-hearted man, so callous to every feeling of humanity, that the prospect of all the horrors of a civil war could not affect him. This was far from being the case. A

[1] See MEMOIRS, Part IV. and PRIVATE CORRESPONDENCE, Parts I. and II.

great part of the day above-mentioned that we spent together, he was looking over a number of American newspapers, directing me what to extract from them for the English ones; and, in reading them, he was frequently not able to proceed for the tears literally running down his cheeks. To strangers he was cold and reserved; but where he was intimate, no man indulged in more pleasantry and good humor. By this he was the delight of a club, to which he alludes in one of the letters above referred to, called the *Whig Club*, that met at the London Coffee-house, of which Dr. Price, Dr Kippis, Mr. John Lee, and others of the same stamp, were members.

From the PATRIOTE FRANÇOIS *of M. Brissot de Warville, Member of the National Assembly and National Convention of France.*

THE American Revolution has produced a multitude of virtuous citizens, intrepid warriors, and enlightened politicians; but we have seen no one possess, in so high a degree, the character of a true philosopher, as Dr. Benjamin Franklin. His love of mankind occupied every instant of his life; and he displayed the most indefatigable zeal in their service. His knowledge was great and extensive, his manners were simple, his morals were pure.

This portrait will not afford a line of separation sufficiently marked between him and other patriot politicians, if I do not add a characteristic feature to it; this is, that Franklin, in the midst of the vast scene in which he acted such a brilliant and conspicuous character, kept his eyes constantly fixed on a theatre infinitely more vast and extensive,—on Heaven, and a future life! This is the sole circumstance that can support and aggrandise man upon earth, and make of him a true philosopher.

The different anecdotes recounted in the first part of his private life, might afford, to an attentive observer, some idea

of his character; and it indeed appears to me to be impossible to read it, without a certain degree of tenderness, mingled with respect. It exhibits Franklin strolling about the streets of Philadelphia with about four-and-sixpence in his pocket, unknown to any of the inhabitants, eating one loaf with avidity, holding another under each arm, and quenching his thirst with the water of the Delaware!

Who could have dreamed that this miserable wanderer should become one of the future legislators of America; the ornament of the new world; the pride of modern philosophy, and an ambassador to a nation the most rich, the most powerful, and the most enlightened in the universe?

Who could have believed that France, that Europe, should one day elevate statues to a man, who had no where to repose his head?

This circumstance recals to my memory J. J. Rousseau, with three halfpence (his whole fortune) in his purse, and tormented by famine, balancing in his own mind whether he ought to sacrifice his all, in order to procure a supper or a bed! After putting an end to this combat between rest and hunger, he lies down, and falls asleep in the open air; and thus, seemingly abandoned by nature and by men, he enjoys the protection of the one, and despises that of the other. The citizen of Lyons, who disdained Rousseau because he was ill-clothed, has died unknown; and the man in rags, has now altars erected to his memory.

These examples ought to console men of genius, who have been reduced by fortune to a similar condition, and who are obliged to struggle against want.

Adversity is calculated to form them; let them persevere, and the same recompense awaits them.

Franklin being persuaded that knowledge could never spread, unless it had been first collected in a central point, as it were, was always extremely desirous to encourage literary,

and political clubs. In one of these clubs, founded by him, the following were the questions put to the candidate:

"Do you believe that a man ought to be despised or persecuted for opinions merely speculative, on account of any particular faith that he may happen to profess?"

"Do you love truth, for its own sake?"

"Will you employ all your efforts, in order to know it yourself, and to instil it into others?"

From the "Éloge de Franklin," by the celebrated Condorcet.

Having, during his residence in England, remarked the advantages resulting from newspapers, and associations, known under the denomination of *Clubs*, and societies formed on the basis of a voluntary subscription, Franklin proposed to adopt them in his native country.

He accordingly began by publishing a gazette, the columns of which he filled up, during a scarcity of news, by means of essays of his own composition, in which the moral was generally presented under the form of an apologue; in which reason was animated by gay but amiable pleasantries; and in which philosophy, without ceasing to be within the comprehension of the simple colonists for whom it was destined, was on a level with the ideas of an European.

It was a new Spectator, as it were, that he produced, but with much more nature, simplicity, and grace; with an aim more extended, and, above all, more useful.

Instead of the uncertain hope of correcting some few of the vices of a nation, corrupted by riches and inequality, he conceived a reasonable expectation of rectifying the ideas, of depurating and polishing the virtues of a nascent people.

Several of the fugitive pieces printed at that period by Franklin, have been preserved; and there are some of them, which Voltaire and Montesquieu would not have disavowed.

He would never permit his Gazette to be disgraced by *personalities*. This species of malice, which presents the ready means of drawing down the popular vengeance upon those whom an editor is inclined to hate, appeared to him to be equally hurtful and dangerous. It seemed to furnish a perfidious kind of arms, which the hypocritical and the factious might use with address, in order to provoke suspicion against virtues and talents the most eminent; to render all reputations uncertain; to destroy character, and the authority of a good name, a circumstance so necessary in an infant republic, and then deliver up the public confidence to those obscure and intriguing men who know how to surprise it.

The Americans were not then that enlightened people who have since astonished us by the wisdom of their constitutions. Religion, and the incessant labor necessary to form establishments in a wild and savage country, had alone occupied the minds and the bodies of the first generations of Europeans.

Franklin perceived how much they stood in need of the light of philosophy; but it was necessary to make them feel this, without announcing an intention, which would have but too plainly discovered his own superiority.

He accordingly formed a club,[1] composed of several of the inhabitants of Philadelphia, whose fortunes were on a level with his own. It consisted of only twelve persons, and the number was never augmented. But in consequence of his advice, the majority of the members established similar associations; by this means, they all became animated with the same spirit; but he was careful not to connect them by a solemn confederation, and still less by a dependance upon the mother society.

It was his intention to form a more liberal communication of knowledge, and of sentiments, among the citizens; to habituate them to the custom of acting together in behalf of

[1] See p. 91. Vol. I. of these MEMOIRS, and APPENDIX No. 2.

their common interests; and to enable them to propagate and disperse their opinions, without forming a party.

He thought that if a private association ought never to conceal itself, it ought still less to exhibit itself to public view; that, useful while it acts by the separate interests of its members, by the concert of their intentions, by the weight which their virtues or their talents give to their opinions, it might become dangerous, if, operating in a mass, and forming in some respects a nation within a nation, it should be at length able to oppose its own will to that of the people, and to place between individuals and the national power, a foreign force, which, directed by an ambitious man, might equally menace liberty and the laws.

It is customary, in the English clubs, to subject all those to a slight fine, who transgress their laws. In that of Philadelphia, a slight fine was levied every time an improper expression was made use of. Those most obstinate in the belief of their own *infallibility*, were obliged to make use of a certain diffidence in their assertions, and to adopt a degree of modest circumlocution, that prevented the self-love of the company from being shocked by the powerful influence of words upon ideas,—this at length extended even to opinions.[1]

In the mean time, Franklin began, in an adroit manner, to

[1] "1mo. To declare that the candidate had no animosity against any of the members of the assembly.

"2do. To profess an equal degree of love for all men, whatever might be their faith.

"3tio. To look upon every attempt against the independence of religion, and of opinion, to be tyranny.

"4to. To love the truth for its own sake—to take pleasure in extending and propagating it.

"This," says M. Condorcet, "was the profession of faith of a society which rendered great service to the Assembly of Pennsylvania, without ever pretending to govern it."

declare war against fanaticism, which of course must have taken deep root in a country peopled by persecution. Those sentiments of universal benevolence, which so easily enter into mild and gentle minds; those maxims of simple truth which good sense never rejects, conduct by little and little, to indulgence, and to reason; and at least reduce to a state incapable of doing them hurt, that enemy to mankind, which it would have been imprudent to have attacked in front.

Thus, at the very same epoch, in two different parts of the globe, philosophy avenged humanity of the tyranny which had a long while oppressed and dishonored it; but it combated her with different weapons.

In the one, fanaticism was an error of individuals, and the unhappy consequence of their education and their studies; to enlighten them, it was sufficient to dissipate the phantoms of a wandering imagination. In fine, it was only the fanatics themselves that it was necessary to cure.

In the other, where fanaticism, guided by politics, had founded upon error a system of domination, and where, leagued with every species of tyranny, it had promised to blind mankind, provided it was permitted to oppress them, it became necessary to rear up against it the whole force of public opinion, and to oppose, to so dangerous a power, all the efforts of the friends of reason and of liberty. The business there was not to enlighten the fanatics, but to unmask and disarm them. One might add to this parallel, new in the history of philosophy, that VOLTAIRE and FRANKLIN, the two men who had separately, but at one and the same time, conceived this salutary project, had the happiness to meet, in their old age, at Paris—to enjoy their glory together, and congratulate each other upon their triumph.

The philosopher, who prepared the felicity of his country by enlightening men, and forming them into citizens, was destined to render it services still more direct, and no less useful. The times were no longer such, as when the poverty

of the English colonies was sufficient to prevent the wars of Europe from extending to them. They had already become sufficiently florishing to tempt the avidity of an enemy; and it was equally dangerous for their repose and their liberty, to be either abandoned by Great Britain, or defended by its armies.

Dr. Franklin, who, ever since the year 1736, had acted as secretary to the Assembly of Pennsylvania, thought it would be proper to profit by a war in which England was so nearly interested, in order to teach the Pennsylvanians to assume, for the defence of the mother-country, those arms which would be one day necessary against herself, for the maintenance of their own rights; and accordingly, in 1744, he formed the plan of a national militia.

The people relished the proposal: Philadelphia alone furnished a thousand men. The command was offered to Franklin: he refused it, and served as a common soldier under Mr. Laurence, whom he himself had proposed as the fittest person to act as general.

It was necessary to build forts, and money was wanting; he provided the necessary sums by means of a lottery, of which he himself formed the plan.

The success of this measure was retarded for some time, by a very singular difficulty.

The Quakers form a very numerous body in Pennsylvania; and such is the purity of the principles of that sect, that they look upon it as criminal, to contribute money even in behalf of a defensive war. The natural effect of an exaggerated morality, adopted by enthusiasm, is to place its sectarists under the necessity of either violating its precepts, or of sacrificing the counsels of reason, and the dictates of judgment. At length they endeavor to elude their own laws; they dissemble the violation of them by means of subtile distinctions, and by adroit and equivocal modes of reasoning. By these means they prevent the fanatics and hypocrites of their own

sect from rising against them, and do not wound the feelings of the people, who, in all religions, attach their ideas of morality to certain consecrated words.[1]

The philosophical indulgence of Dr. Franklin, and the address which he made use of upon more than one occasion, often enabled him to conciliate the patriotism of the Quakers with the principles of their sect.

Never was any man more anxious to exhibit the most scrupulous respect for the religious weaknesses and follies of other men: towards feeble and sickly minds, he ever evinced the same delicate attentions, which worthy men generally make use of in regard to the infirmities of infancy.

The education of Dr. Franklin had not opened to him the career of the sciences, but nature had given him a genius capable of comprehending, and even of embellishing them.

His first essays on electricity fully prove, that he was but very little acquainted with this part of natural philosophy. Being at an immense distance from Europe, he possessed but imperfect machines. Notwithstanding this disadvantage he soon discovered the immediate cause of electrical *phenomena*. He explained it, by demonstrating the existence of a fluid, insensible while it remains in a state of equilibrium, and which instantly manifests itself, either when this equilibrium is destroyed, or while it endeavors to re-establish it. His analyses of the grand Leyden experiment is a *chef-d'œuvre* at once of sagacity, of perspicacity, and of art.

Soon after this, he perceived an analogy between the ef-

[1] It is thus that the Quakers, on being solicited for money in order to purchase gunpowder, presented the sum demanded, *under the pretence* of its being intended for grain. The Dunkars, more wise perhaps than the Quakers, have never committed their *dogmas* nor their precepts to writing. They were afraid, as one of their principal men told Dr. Franklin, of either exposing themselves to the danger of professing that which they did not any longer believe, or to the shame of having changed their opinions.

fects of thunder and electricity, which struck him prodigiously. He conceived the idea of an apparatus, by means of which, he proposed to interrogate the heavens; he makes the experiment, and the answer fully confirms his conjectures. Thus the cause of lightning is now known. Its effects, so ruinous, so irregular in appearance, are not only explained, but imitated.

We at length know why the lightning silently and peaceably follows certain bodies, and disperses others with a loud noise; why it melts metals, sometimes shivers to atoms, and sometimes seems to respect, those substances which surround it.

But it was but little to imitate the thunder: Dr. Franklin conceived the audacious idea of averting its vengeance.

He imagined, that a bar of iron, pointed at the end, and connected with the ground, or rather with the water, would establish a communication between a cloud and the earth, and thus guarantee or protect the objects in the immediate neighborhood of such a conductor.

The success of this idea was fully commensurate to all his wishes; and thus man was enabled to wield a power sufficient to disarm the wrath of Heaven!

This great discovery was by far too brilliant, and too singular, not to conjure up a numerous host of enemies against it. Notwithstanding this, the custom of using conductors was adopted in America and in Great Britain; but at the commencement of war with the mother-country, some *soi-disant* English philosophers endeavored, by unfair experiments, to throw doubts upon the utility of his scheme, and seemed to indicate a wish to ravish this discovery from Benjamin Franklin, by way of punishing him for the loss of thirteen colonies.

It is unfortunately more easy to mislead a nation in regard to its proper interests, than to impose upon men of science relative to an experiment; thus those prejudices, which

were able to draw England into an unjust and fatal contest, could not make the learned of Europe change the form of the electrical conductors of Franklin. They multiplied in France, after France had become allied to America: in truth, the sentence of the police has been opposed to it in some of our towns, as it has been opposed in Italy by the decisions of casuists, and with just as little success![1]

In a free country, the law follows the public opinion; in despotic governments the public opinion often contradicts the laws, but always concludes at length by submitting itself to their influence.—At this day, the use of this preservative has become common among almost all nations, but without being universally adopted. A long course of experiment does not permit us any longer to doubt of its efficacy.

If the edifices provided with it, have still some dangers to dread, this happens, because, between the bounded efforts of man and the boundless force of nature, there can never be established any other but an unequal contest.

But what an immense career has this successful experiment opened to our hopes!

Why may we not one day hope to see the baneful activity of all the scourges of mankind melt away, as that of thunder has done, before the powers of genius, exercised through an immensity of ages? When all the regions of nature are disarmed by the happy use of her gifts, we shall experience nothing but her benefits.

In 1754, the King of England, who had formed the project of attacking France, convoked a general congress of the deputies of the different colonies, in order to concert a system of common defence. Dr. Franklin was sent thither,

[1] Many religious sectaries are still averse to their use; they consider it as presumption, and say they will trust to *the first great cause;* though at the same time these very people are taking physic, and get cupped and bled, in order to prevent themselves from being sick and diseased!

and proposed a plan, which was accepted by the congress;[1] but it was neither agreeable to the assemblies of the particular states, nor to the British ministry. No menace had as yet made the colonies perceive the necessity of this union, which was about to take away from each a part of its independence; and the English government was at one and the same time too cunning not to foresee that this new institution prepared a resistance to its tyrannical enterprises, and was too little enlightened to know, that nothing remained for it but to direct a revolution, which was an inevitable consequence of the increasing prosperity of the colonies. Indolence or pride on one side, and perfidy on the other, occasioned the rejection of a scheme formed by foresight and traced by wisdom.

Twenty-four years afterwards it served as a basis to that congress which declared the independence of the United States; and perhaps it would have been a *desideratum* in the new constitution, to have imitated more its sage simplicity.

It has been urged as a reproach to Franklin, that he had given a *negative* to the governor appointed by the King of Great Britain; but circumstances required this sacrifice: it was the band that would have connected a sucker, at that time young and tender, to the parent tree, from which it had sprouted forth; and which ought not to have been cut until the moment that the young plant, after having extended its roots, and developed its branches, had acquired sufficient vigor to nourish it by means of its own proper strength.

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CHARACTER OF DR. FRANKLIN. (*By the same.*)

Humanity and frankness were the basis of his morality. An habitual gaiety, a happy facility in regard to every thing

[1] See this PLAN in the Selection of Dr. Franklin's WRITINGS, (in continuation of these Memoirs) Part. i. Section i.

respecting the common concerns of life, and a tranquil inflexibility in affairs of importance, formed the character of Dr. Franklin. These two latter qualities are easily united in men, who, endowed with a superior mind, and strong understanding, abandon trifling things to doubt and to indifference.

His system of conduct was simple: he endeavored to banish sorrow and wearisomeness, by means of temperance and labor. "Happiness," he was used to say, "like a body, is composed of insensible elements."

Without disdaining glory, he knew how to despise the injustice of opinion; and while enjoying renown, he could pardon envy.

During his youth, he had carried his *pyrrhonism* to the very foundation of morality: the natural goodness of his heart, and the directions of his conscience, were his sole guides; and they very rarely led him astray.

A little later in life, he allowed that there existed a morality founded upon the nature of man, independent of all speculative opinions, and anterior to all conventions.

He thought, that our souls, in another life, received the recompense of their virtues, and the punishment of their faults: he believed in the existence of a God, at once beneficent and just, to whom he offered up, in the secrecy of his own conscience, a silent but pure homage.

He did not despise the exterior forms of religion; he even thought them useful to morality: he, however, submitted himself to them but seldom.

All religions appeared to him to be equally good, provided an universal toleration was the principle of them, and that they did not deprive, of the recompense due to virtue, those who were of another belief, or of no belief at all.[1]

[1] See his *Conte*, of Montresor, in his WRITINGS. Part iii. Section iii, *Bagatelles*.

The application of the sciences to the common purposes of life, and to domestic economy, was often the subject of his researches: he took pleasure to demonstrate, that, even in the most common affairs of life, custom and ignorance are but bad guides; that we were far from having exhausted the resources of nature; and were only deficient in men capable of interrogating her.[1]

He never wrote any thing upon politics, except some tracts required by circumstances, and produced upon the spur of the occasion.

It was easy to perceive, that he always endeavored to reduce all questions to their simple elements, and to present them in such a manner to the public, that the unlearned might be enabled to understand, and to resolve them. It was to such that he always addressed himself. Sometimes it was an error that he attempted to root out and destroy; and sometimes an useful truth, for which he wished gently to prepare their minds, that at length they might be enabled to receive, and, above all, to preserve it. It is in vain that we shall search for any subject, on which he could be supposed to have written from the mere impulse of glory.

Sometimes he employed those forms which, in appearance only, disguise the truth, in order to render it more af-

[1] He was occupied a long time in endeavoring to make the forms of chimnies more perfect, and to introduce economy in regard to combustible substances, by regulating the intensity and the equality of heat, and the renewal of the air in places warmed artificially. Several years before he became so celebrated as he afterwards was, and at the period when he began to enjoy an independent fortune, it was proposed to him to procure a patent for a stove of his own invention. This he rejected; saying, at the same time, "I have profited by the inventions of others, and is it not just that they, in return, should profit by mine?"

fecting, and which, instead of disclosing, allow the pleasure of divining it.

It was thus that, while seeming to teach the surest means for diminishing the extent of a state, which is found too difficult to be governed, he lampooned the conduct of the English ministry in regard to America:[1] thus, also, by way of displaying the injustice of the pretensions of Great Britain in regard to her colonies, he supposes the King of Prussia to publish an edict, in which he subjects England to the payment of certain taxes, under pretext that the inhabitants of the banks of the Oder had formerly conquered and peopled it.[2]

His conversation, like his style, was always natural, and often ingenious. In his youth, he had read Xenophon, an author who had inspired him with a taste for the Socratic method of argument,—and he took pleasure in employing it, sometimes by putting artful questions, tending to make the advocates of a false opinion refute themselves; sometimes, by an application of their principles to other events, obliging them thus to recognise the truth, when disengaged from the clouds within which custom or prejudice had enveloped it; at other times, deciding by means of an apologue, a tale, or an anecdote, those questions which the pride of a serious discussion would have obscured.

Being employed by some of the American provinces to request an abolition of the insulting custom of transporting malefactors to the colonies, the minister, by way of reply, alleged the necessity of delivering England of such vermin.

"What would you say to us," rejoined Dr. Franklin, "if we were to export our rattlesnakes to England?"

[1] Rules for reducing a *great* Empire to a *small* one.—See WRITINGS, Part i. Section i.

[2] See PRUSSIAN EDICT, in PRIVATE CORRESPONDENCE, Part ii. Letter to the Hon. Thomas Cushing, Sept. 12, 1773.

Dr. Franklin had never formed a general system of politics: he examined the questions exactly as the events presented themselves to his observation, or as his foresight anticipated them; and he decided them all according to the standard of those principles which originate in a virtuous mind, and in a judgment at once just and comprehensive.

In general, he appeared not fond of giving all at once the greatest possible degree of perfection to human institutions: he thought it a more certain way to wait for the effects of time. He was not fond of attacking abuses in front; he thought it more prudent first to attack those errors which are the source of them.

He had in politics, as in morals, that kind of indulgence which requires but little, because it hopes much, and which forgets, and even pardons the present, in favor of the future. He always proposed those measures which seemed to him to be most proper in order to preserve peace; because he was not fond of delivering up the happiness of mankind to the uncertainty of events, nor truth to the interests of a party.

He preferred the good obtained by reason to that which might be expected from enthusiasm; because it is more easy to be procured, and infinitely more lasting.

In one word, his politics were those of a man who believed in the power of reason and the reality of virtue, and who aspired to be the teacher of his fellow-citizens before he became their legislator.

Extract from Dr. Smith's Eulogium on Dr. Franklin, delivered March 1, 1791, *before the Congress, and the American Philosophical Society at Philadelphia.*

At the name of FRANKLIN, every thing interesting to virtue, freedom, and humanity, rises to our recollection! By

what eulogium shall we do justice to his pre-eminent abilities and worth? this would require a pre-eminence of abilities and worth like his own.

His original and universal genius was capable of the *greatest* things, but disdained not the *smallest*, provided they were useful. With equal ease and abilities he could conduct the affairs of a printing-press, and of a great nation, and discharge the duties of a public minister of state, or the private executor of a will.

Franklin, as a philosopher, might have become a Newton; as a lawgiver, a Lycurgus; but he was greater than either of them, by uniting the talents of both in the practical philosophy of doing good, compared to which all the palms of speculative wisdom and science wither on the sight. He did not seek to derive his eminence from the mere profession of letters, which, although laborious, seldom elevates a man to any high rank in the public confidence and esteem; but he became great by applying his abilities to things useful, and accommodating his instruction to the exigencies of the times, and the necessities of his country.

Had we no other proof of this, the great and dignified part which he sustained in the American Revolution, one of the most important events recorded in the annals of mankind, would have been alone sufficient to immortalise his name; but when we take into the account his previous labors for half a century, on purpose to illuminate the minds of his fellow-citizens, to prepare them for the mighty event, to nurse them into greatness by the arts of industry and virtue, to show them the happiness which lay within their reach, to teach them to dare, and to bear, and to improve success; —this accumulation of services has woven for his head a diadem of such beauty, as scarcely ever adorned the brow of either ancient or modern worthy.

In the earliest stages of life he had conceived the mighty idea of American glory and empire; but, like Hercules in the cradle, he was ignorant of his own strength, and had not conceived the achievements and the labors that awaited him. He had not yet conceived that he was one day to contend with kings and potentates for the rights of his country, to extort from them an acknowledgment of its sovereignty, and to subscribe with his name the sacred instruments which were to give it a pre-eminent rank among the nations of the earth, and to assure its liberty and independence to the latest ages!

Virtus vera nobilitas, was an adage with which he was well pleased. He considered a descent from any of the virtuous peasantry and venerable yeomanry of America, who first subdued the sturdy oaks of our forests, and assisted to introduce culture and civilization into a once untutored land, as having more true nobility in it than a pedigree which might be traced through the longest line of those commonly called great and noble in this world.[1] He rose from low beginnings, and advanced not only himself but his country by means of the press. The press was the great instrument he made use of in order to draw the attention of Pennsylvania to habits of virtue and industry; to the institution of societies for the promotion of agriculture, commerce, and the mechanic arts; to the founding of schools, libraries, and hospitals, for the diffusion of useful knowledge and the advancement of humanity. When you consider this, you will go and do likewise:[2] you will, with professional joy and

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[1] *Stemmata quid faciunt, quid prodest, Pontice, longo*
Sanguine censeri? JUVENAL.

[2] This part was addressed to the printers of Philadelphia, who attended in a body.

pride, observe that, from the torch which Franklin kindled by means of his press, in the new world, "sparks are already stolen which are lighting up the sacred flame of liberty, virtue, and wisdom, over the entire face of the globe." Be it your part to feed that torch by means of the press, until its divine flame reach the skies!

VERSES,[1]

SACRED TO THE MEMORY OF

BENJAMIN FRANKLIN, L.L. D.

&c. &c.

SINCE 'tis our lot upon this mortal stage,
To combat pain and sickness, grief and age,
Why should we murmur at approaching death?
Or why reluctantly resign our breath?
Our sighs, our anguish, reason disavows,
Since Franklin to the King of terrors bows.
Say, how shall I begin his various praise?
Truth led him through all nature's wond'rous maze.
Earth! to the sage thy greenest wreaths allow,
Whose wisdom taught the swain to guide the plough
By reason's laws—to turn the fruitful soil
By useful rules, and scientific toil;
Thy cultivated bosom to adorn
With cooling fruits, and life-sustaining corn;
And prov'd, philosophy! to thy true friends,
The man, who pants for heav'n, to earth attends.
Ocean! his death thy waters should deplore,
Rolling thy plaintive billows to the shore,

[1] The author unknown.

Where Franklin rests. Thy pow'rs he understood;
Fathom'd thy depths; and analys'd thy flood.
What, tho' he prov'd that earth thy waves restrains,
And rescues from thy reign her hills and plains?
Still he deserves thy tribute of applause:
Thy properties he knew, and gave thee laws.
Air! in the praises of the sage unite,
Who saw thy paths with more than human sight.
Fair science taught her son the winds to know,
Whence they all come, and whither they must go.
O Electricity! from thee he draws
A large—a glorious portion of applause.
Lightning! confess the glory of the sage
Who dar'd with all thy terrors to engage.
Thy nature he explain'd; and bade us gaze,
Fearless, on thy wide-spreading, quiv'ring blaze.
Humanity! this proof of art applaud:
Ye sceptres! bow to Franklin's glorious rod,
Which draws the furious fluid from its course,
And bids it spend on earth its bafflí'd force.
New England! glory in thy foremost son;
What though on earth his honor'd course be run?
Thy fame and his shall evermore endure:
He knew thy rights, and made those rights secure:
Nor thine alone; to him a nation owes
Conquest in war, and now a blest repose—
To him, whose wisdom wond'ring France obey'd,
Whilst Louis glow'd, great Washington to aid.
France! when the awful news shall reach thine ear,
Thy sons in sable garments should appear.
On Passy's plains, from vulgar eyes retir'd,
Lov'd by the good, and by the great admir'd,

Like Sicily's enlighten'd son, serene,
He grasp'd, O policy! thy nice machine,
And mov'd court, city, camps, and plains, to dare
In freedom's cause the glorious toils of war.
France! if to him thou owe that splendid light,
Which sav'd thee from oppression's dreary night,
Record his name in thy historic page,
There let the statesman triumph with the sage;
And since thy sons philosophy adore,
His death with many a tender sigh deplore,
On whom with wonder all thy sages gaz'd,
And whom Voltaire with justice oft has prais'd.

O Britain! to his memory be just:
A valiant people wars not with the dust.
In youth, to thee by sympathy allied,
He knew thy worth: in age he scorn'd thy pride.
His various virtues thou should'st learn to prize;
Checking thy haughtiness, he made thee wise.

But why should partial praise be his? The mind,
Which labor'd for the good of all mankind,
Due homage should receive, from pole to pole—
Theme of each tongue and pride of ev'ry soul.

Europe! the glories of the sage revere:
Free from false pride, and unseduc'd by fear,
Who stood, unaw'd, before the Gallic throne,
Propt by true worth, and grandeur all his own.
O may his lessons spread o'er wond'ring lands,
From frozen wilds, to Tagus' golden sands,
Till e'en Byzantium shall his genius bless,
And bow at once to freedom and the press!

What various blessings from one man may flow,
Whom heav'n with sense and virtue taught to glow!

Asia! thy sons his precepts soon shall hear:
Thy tyrants in their turn shall learn to fear;
Whilst chains (so int'rest, join'd with zeal, demands)
Insensibly shall drop from Slav'ry's hands.

Nor be our praises to those arts confin'd
Which seem above its sphere to raise the mind.
Franklin was born life's various scenes to grace,
A bright example to man's erring race.
His splendid worth a willing land confest,
Whilst every gentler virtue warm'd his breast.
Ye, whom vile sophistry oft leads astray,
At Fancy's shrine unworthy vows to pay;
Who, while bold knaves admire, and fools applaud,
First rail at nature, and then sneer at God—
By Franklin taught, the husband's worth approve,
And the soft duties of parental love.
How great the merit, and the bliss how sweet,
When in fond union love and science meet!

Thou, Pennsylvania! o'er his ashes bend;
Revere the mem'ry of thy steady friend.
Thee he adopted with parental love;
Daily thy blessings to enhance he strove—
True to religion, which detests control,
And guides to heav'n, through Freedom's paths, the soul,
He found religious liberty with thee,
And priz'd thy sons—for they are mild and free.

Then, Pennsylvania! ev'ry tribute pay;
Erect the sculptur'd marble o'er his clay;
Thus youth at equal praise shall boldly aim,
And catch at Franklin's tomb worth's hallow'd flame.

LINES

TO THE MEMORY OF

BENJAMIN FRANKLIN.

(BY MR. LAMONT.)

THE nation grieves, surrounding kingdoms mourn,
Their mingling sighs enshrine their fav'rite's urn;
Columbia's sons their general loss deplore,
The friend of virtue—FRANKLIN is no more!
Cold lies that heart, which beat for all mankind;
Now lost to all that comprehensive mind:
No more shall age admire, no more the young
Receive the golden lessons from his tongue;
No more *Poor Richard's* annual tale afford
Instructive converse round the rustic board;
No more correct the proud, inform the gay,
No more the world's calm censor now display.

E'en he who soar'd to heaven, and dar'd to chain
The thunder's flash, and half its rage restrain;
Who saw the midnight sky in gorgeous glow,
And taught mankind the hidden cause to know;
E'en he whom science bade new worlds explore,
With philosophic eye unknown before,
Must yield, alas! to Death's relentless call,
And leave, for happier worlds, this earthly ball.

How poor the plaudit of the sorrowing Muse,
Yet, sacred shade! the generous wish excuse;
Far other praise is thine than poets give,
Through time's vast round thy works shall bid thee live.

If genius such as Heaven bestows on few;
If powers that bring important truths to view;
If active virtue anxious how to raise
Unnotic'd merit to the ranks of praise,
E'er held esteem from man—e'er claim'd a tear,
O pay that tribute at their FRANKLIN's bier!
His lib'ral soul—his worth—his actions scan—
Go, Reader, go and imitate the man.

IN VIRGAM FRANKLINIANAM,

ODE ALCAICA.

AUCTORE ANTONIO MUSSI,

PHILOSOPHIÆ PROFESSORE, MEDIOLANI.

DIRIS per urbes religionibus
Camposque latè strata metu gravi,
Humana gens horrebat olìm
Tartareum tonitru tyrannum
Nimbos vocantem: cœlo equitans nigro,
Dùm Saga, passo crine, sonantium
Iras procellarum lacessans,
Vipereo fureret flagello.
Formidolosa insomnia! "Num Pater
Naturæ iniquis imperium arbitris
Permittat?" Has dudùm tenebras
Dispulit exoriens Sophia.

At non timores pectore funditùs
Excussit atros. Vix tonuit polus,
Jam vertici impendere vulgus
Ætheream trepidat ruinam.
" Ergo usque gentes sternere gestiat
Telum coruscans triste Diespiter,
Sedesque funestet piorum,—
Ipse suas jaculatus arces ?
Qui cuncta leni numine temperat,
Solemque flammis, et Boream gelu,
Terramque complexu rotundam,
Gurgitibus mare belluosis,
Nostros in usus Omnituens parat,
Num semper in nos immedicabilem
Molitur ictum, dùm tonante
Fulgur agens quatit astra curru ?"
Non ille frustra carum hominis caput
Diva efficacis muniit ingenî
Virtute, quâ terras patentes,
Aëraque, oceanumque regnet.
Sophis sagaces ille animos dedit
Tentare naturæ abdita : non vices
Subvertere—æternasque leges
Sacrilegâ violare dextrâ.
Hâc mente, Franklin, nubibus imperas,
Vulgare temnens exanimum pecus :
Virgâque sublimi coerces
Fulmineum inviolatus ignem :
Justâ ille labens innocuus viâ
Sensim silenti flumine avens peti
Telluris amplexum parentis,
Et sociæ freta cæca flammæ ;

Quæ sub profundis monstra frementia
Exercet antris, dum polum anhelitu
Terrasque quassant, montiumque
Ignivomo reboant hiatu.
At tu, corusco in turbine, splendidum
Securus effers philosophus caput,
Remota dum turris fragoso
Fulgure collabefacta fumat.
Regina signis te Philadelphia
Subscribit immortalibus: "Hic Sophus,
Hic ille Franklin, qui tyrannis
Sceptra, Jovi rapuitque fulmen."
Nunc ipsa virgam provida sospitam
Europa centum sustulit urbibus:
Europa nunc artes doceri
Barbaricâ[1] stupet Americâ.
Urbs alma princeps Insubrum! adhuc tremis
Sub sole larvas? Suspice Palladis[2]
Fastigium: ferrata circum
Tecta volans fugat ecce curas
Fulgore puro libera veritas.
At insolenti ne sapientiâ
Mortalis æternum labores
Fallere consilium, caveto:
Franklinianis mille licèt domus
Horrescat hastis, certus ahenea
Per septa, per fidos recessus,
Sontem animam petet ignis ultor.

[1] The reader will easily perceive that this word is used to form a beautiful contrast between what America is now, and what she was hardly a century ago.

[2] Regii gymnasii Braydensis hac in urbe Mediolano, quod anno 1784 munitum est sex virgis Franklinianis, jubente principe.

Virtus, quietis pectoribus sacrum
Tutamen, arces possidet Alpibus
Stantes serenis prœliantem
Sub pede despiciens procellam.

French Translation by D'Alembert, of Mons. Turgot's Latin Line for Dr. Franklin's Bust.

" ERIPUIT CŒLO FULMEN, SCEPTRUMQUE TYRANNIS."

" Tu vois le sage courageux,
Dont l'heureux et mâle génie
Arracha le tonnerre aux Dieux,
Et le sceptre à la tyrannie."

English Translation by James Elphinston.

" He snatch'd the bolt from Heaven's avenging hand,
Disarmed, and drove the tyrant from the land."

Other Lines by D'Alembert for the Portrait of Franklin.

" Sa vertu, son courage, et sa simplicité,
De Sparte ont retracé le caractère antique ;
Et cher à la raison, cher à l'humanité,
Il éclaira l'Europe, et sauva l'Amérique."

IN GRATULATIONE

NOBILISSIMI ET AMPLISSIMI VIRI

B. FRANKLINI, ARMIG. PENNSYLVAN.

DE HONORIBUS SUIS,

OB INVENTIONES EJUS EXIMIAS

ET INSIGNES

IN

ELECTRICISMO:

ORATIO,

QUAM AD ILLUM

IN AULA ACAD. YAL. NOV. ANGL.

HABUIT

EZRA STILES,

NONIS FEBRUARII

MDCCLV.

ILLUSTRIUM, auditores, et virorum et rerum gestarum monumenta referre, omnium gentium fuit, temporum et locorum. Qui enim rem quampiam præclaram peregerunt, honorem publicum ab hominibus jure meriti sunt. Tot ideo orationes laudatorias sæpe exaudivimus, ad hominum commemorationes, famâ egregiâque laude clarorum, efferendas. Convenimus hodierno die, cœtus hic academicus, ad debitos solvendos honores, sacratos viro, quem nos semper amaturos fore et honoraturos arbitror. Quanquam enim per orbem terræ laudes BENJAMINIS FRANKLINI, Armigeri, Pennsylvanici celebrantur, nosne sileamus, auditores? nosne obmutescemus?

nosne gratitudinem nostram recusabimus? Cùm illius fama celebratur ad Indos, consensuque bonorum omnium ad astra nominis gloria sublata sit, nonne generalem jungemus Hosannam?—immo ex ore labiisque nostris laudes gloriæque defluent.

Te itaque, vir amplissime, in hâc tot juvenum eruditorum coronâ, in hoc tot hominum eruditorum conventu, concelebramus. Tibi gratulemur petimus, de ingenti gloriæ tuæ nuperæ accessu;—deque honoribus, quos merito jure undequaque sumis, queiscum coronari gestis. Tuæ laudes orbem jam inde pervolaverunt: triumphans percurris mundum, et inter Literatos telluris, et omnium gentium Optimates famâ singulari tuâ versaris.

Quippe hic vir, auditores, mirandas quasdam naturæ leges, et arcanas adhuc, nuper enucleavit. Stupendam vim operationesque tremendas Electricitatis, proprio suo Marte detexit. Hanc naturæ vim Græci olim *Ἠλεκτρον* appellârunt. Quæ latius clariusque patuit ab experimentis Hauksbeïanis. De eâdem verò maximè ignorârunt Philosophi hodierni, donec decem forte inde annis peractis, cùm ad ejusdem leges investigandas experimentis Electricismi se fortiter applicuere. Et quanquam plurima Europæi et quidem mirabilia ejusdem phænomena ab experimentis invenerunt; tamen de generalibus illius legibus fermè nihil didicissent, priusquam noster immortalis FRANKLINUS, philosophus reverà Americanus, viam semitamque ratiocinii Electrici patefecit, dedit, edocuit. Ope verò phialis de Muschenbroeck, ille demonstravit—fluidum quoddam æthereale, ab igne vulgari, ab aëre, ab aquâ differens, immo luce solari valde aliud;—aëra tamen ipsum, aquam, omniaque corpora non-Electrica, et forsan non mensuranda Universi spatia, permeare: et fluxu perenni ac refluxu, secundùm leges quasdam stabilitas, permoveri: et in eodem motum quàm celerrimè, immo luce celeriùs propa-

gari :—Globo terraqueo nostro, sideribus planetariis fixisve, quotiscunque demùm massis non-Electricis undecunque per immensitatem Universi conspersis, quemadmodum tot fontibus plenâ copiâ residere ;—idemque hoc fluidum, vel frictione *per se Electricorum*, vel quomodocunque accumulatum, maximâ violentiâ perrumpi ; et displosum ad massam communem, æquilibrium petens, revelli :—præterea abundantius per æquora dissipari, fluctibus nocturnis scintillare, et exhalationibus inter nubes, præsertim æquoreas, advehi ;—idemque vehementer à cuspidibus attrahi, metallis, fluidisque omnigenis transmitti ; ideoque copiâ abundanti, à terrâ et ab æquore, è navium malis, è turribus templorum radiatis, conicisque ubicunque arborum culminibus cuspidatis, ad cœlum et nubes onerandas provehi :—quas inde nubes, nimborum vi et gravitate electricâ, ad se per æthera adnavigantes, montes turresve aboresve demùm retrò petentes, incredibili explosione deonerari ; aut vacuas transvolantes, raptim adimpleri—cùm cœli statim horrent, scintillant atque clangunt.

Phænomena hæc tremenda Philosophus hic noster non tantùm explicuit, sed eorum vires ne noceant, depellere docuit ; et monstravit utì lethum hoc fatale, à cuspidibus ferreis, innoxium è nubibus dehauriatur. Unde templa, domicilia, naves, et vita animalium, à tonitru fulguribusque serventur.

Præterea *Auroræ Borealis* phænomenon ab iisdem principiis electricis, explicavit. *Ventorumque Tropicorum* causas monstravit, et tempestatum et fulminum theoriam dedit peringenuam. Qualis igitur quantusque sit Philosophus hic noster, cui vel venti cedant ?—qui eorum cursus rapidosque volatus arctissimis legibus coerceri edocuit ?—qui cœlum scandit, in altum se effert, et nubes nubiumque armamenta, et diros eorum clangores depellit ?

Plaudite, gens hominum ; et hymnos gratitudinis psallite almo Numini Supremo, pro novo hoc, de cœlis misso, con-

servatore! Universæ vos Adamitarum cohortes, Mæcenatem vestrum aspicitote!—Virum, qui viam salutis tranquillæ patefecit, aspicite et admiramini! Quî laudes tuas enarrem, ô FRANKLINE!—quomodo alloquemur—quibus verbis affabimur? ô decus humani generis ingens atque dulce!—Dicamne de aureo illo honoris emblemate, quod nuper accepisti, à Regiâ Societate Londinensi collato;—Orationeve de te laudatoriâ inter palmam illam nobilem conferendam, ab honorato et prænobili viro, Domino de Macclesfield, erudito ejusdem Societatis Præside, peroratâ? Quidve dicam de insigni illâ gratulatione regali, vel è Galliæ Principe nuper transvectâ? Ecce per orbem universum, laudes undecunque agglomerantur tuæ! Nos etiam, cum sorore nostrâ Cantabriâ, gratias quoque addimus; majores quamvis jure merearis quantas tamen de nobis, de patriâ tuâ accipere queas. Vides ideo, vir nobilissime, quàm de inventione tuâ, et de auctore ejus illustri gloriemur.

Literæ autem, auditores, et literarum Mæcenates, nuper tantummodo inter hæc deserta, solitudines hasce Americanas extitere. Ideò tantoperè cum hoc homine delectamur, quippe inter Literatos Nostrates princeps facilè adstat. Cùm verò literæ ab Europâ advectæ fuerunt, et Atlanticum transvolavere primò, infantuli diu fuimus:—nunc autem viri adstare cœpimus, imo magni, in te gloriantes, ô philosophiæ princeps! Nec dubitamus quin citò Newtonos, Halleios, Berkeleios, Lockeiosque habituri simus. Si modo quis Americam perspiciat, præsertim Anglicanam (de ceteris gentibus transvectis nescire fateor,) bonarum artium studia, scientias, et disciplinas liberales, non mediocri fructu inter nos excoli et efflorere viderit. Jam modò Vinthropiis, Kennersleisque, ceterisque Mæcenatibus et literarum cultoribus peringenuis gloriari cœpimus. Nosque reconditis in artibus et earum mysteriis profundis, Europæos statim superaturos, audacter vaticinor.

" Jam redit et Virgo, redeunt Saturnia regna." VIRG.

" ——————— Nubem Electricitate pellente,
Claustra patent cœli, rerumque immobilis ordo." HALLEI, &c.

En quàm latè jubaribus suis splendescens, inter provincias hasce, barbarorum olim solitudines, scientia percurrit! Celebrem immo Academiam et antiquam Præses eruditus Holyoke præest et regit:—Nos etiam literas ingenuasque artes amamus et laureatos earum honores ambimus sub eruditis institutis Rev. D. Thomæ Clap, Academiæ hujusce Præsidis honorati. Expectamus cùm Academia Neo-Eboracensis illustris fiet, Præside doctissimo Johnson:—utî modò floret Neo-Cæsariensis, Præside ingenuo et literato Burr. Philadelphiæ suavi voluptate nuper conspeximus celebrem florentemque Academiam, cujus curatorum Præses est, quem hoc publico more honoramus, jure honorandus FRANKLINUS. Sin ulteriùs tenderemus inter Virginios, in civitate de Williamsburg, Collegium Gulielmi Mariæ videamus, Præside adornatum D. Gulielmo Smith. Inter Insulas Caribbeanas, apud Barbadoes est Collegium de Coddrington. Ut ceteras prætermittam in America Academias, inter provincias Gallicas et Hispanienses adlocatas, illas nempe ad Quebec et Quito positas. Sed de hisce satis.—Videtis ideo, auditores, de literarum gloriâ Americanâ, ego quàm non malè vaticiner.

Per varias mundi regiones, et varia sæcula, viri quantumvis pauci, insignes tamen nonnulli extitere, ceu cœlitùs demissi, ad humanitatem artesque excolendas. Et si majores nostri *pixidis nauticæ* inventorem, artisque *typographiæ*, si *mathesis* et *philosophiæ* experimentalis cultores, et qui planetarum et astrorum leges investigârunt, summis prosequendos honoribus judicaverunt; nonne hunc virum patriæ suæ laudibus coronemus? O fortunate vir, qui genus humanus beando, famam tuam dissipâris ad Indos. Inter Germanos, inter Gallos, inter Britannos, ad Italiam, immo per universam rempublicam

literarum, palmam nobilem sustulisti. Namque Virga cuspidata tua immortalem tibi gloriam acquisivit. Quoties enim vel ubicunque terrarum, cœli fulgure scintillant, et tonitrua terribilia evomunt; toties cuncta gens hominum FRANKLINO benedicent, qui cœlitùs edocuit, utì fatale lethum inter nubes incassùm volitaret, donec à metallicis cuspidibus innoxium delabatur:—nisi nubes *negativè* se habent (ut aiunt hujus artis amatores); unde virgis hisce ferreis, electricitatis æstus, aut è nubibus in terrâ, vel è terrâ in nubibus fluant liberè atque refluant. O mirabunda inventio! ad acerrimi ingenii acumen vel à Deo detecta! ad tremendos impetus tonitrû depellendos; unde domicilia nostra, tecta, et delubra, et templorum turres radiatæ, vitæ denique omnium, nos, conjuges, liberique nostri, è nubium clangoribus perhorrendis, tremendoque cœlorum armamento salvi eripimur, et servamur. Nec tremimus dum cœli coruscantes horrent; sed grandi et augustâ quâdam voluptate, scintillationes eorum spectamus, et armorum cœlestium sonitus à polo resonantes reboantesque exaudimus; donec modò serenum fit æther, iterùm tempestate peractâ tranquillant omnia, et omnia rident.

O machina simplicissima! cujus ope, non mulierculæ imbelles pavidæque tantùm, sed viri immo fortes (ut nihil dicam de leonibus fortissimisque animalibus, quæ tonitruum clangoribus manifestè conturbantur et horrent) à periculosissimis tempestatibus conservarentur: nosque è mediis Naturæ convulsionibus DEUM O. M. adoramus—et almo FRANKLINO benedicimus et avemus.

Neque philosophus tantùm est noster Mæcenas, auditores, sed patriæ suæ fidelis amator. Quantâ sagacitate discernit, et quantâ fide ejus emolumento consulit?—Ad millennium beatum, memoria tua, ô vir nobilissime (quivis enim vir dignus, est *nobilis*), castè advenerit; et inter posteros jam inde in perpetuum memoretur nomen tuum, donec tempus

fieri cessabit. Quantam, ecce quantam, et quàm latam, et quàm diuturnam, gloriam verò æternam acquisivisti! Non enim brevibus hisce vitæ humanæ spatiis, vel mundi ipsius sæclis periodisvè terminabitur: sed dehinc longissumè spectat, immo ad ceteras mundi moralis regiones, per ingentes et innumeros et altiores intelligentium ordines, denique per sæcula æterna revirebit. Ad alios mundos, noster nuper Newtonus forsan, seu Gabriel, meritas FRANKLINI laudes resonabit. Nonne audire videor quempiam ex ordinibus heroüm cœlestium easdem enarrantem, et eloquio cœlesti exornantem?—Et ab angelis cani et celebrari—nonne gestit cor tuum, nonne exultat animus tuus, ô alme hominum amice? —Nonne video vultu tuo hanc gloriæ futuræ prælibationem?—Immo triumphos immortales anticipantem video.

Nec dubito inter cœlestes choros quin celebretur vel parvula gloria inferiorve virtus intelligentium, è regionibus mundi moralis remotissimis (ex ubicunque per DEI Dominium) advecta. Per immensum Universi theatrum, quicquid hic et inde præclarè actum, laudatione meritâ denarrari credimus. Nec sumus progenies tam ignobilis aut inanis, quemadmodum *desuper* de nobis nihil curetur, aut ab almo naturæ Parente derelinquamur. Jure ergò credamus DEUM, et nos, et nostri minutissimos, et singulorum gloriam vel parvulam adnotaturum: nec clarorum merita virorum patefacta, ab incolarum notitiâ Superûm ac laudatione evanitura, arbitror.

Volat autem, quàm celerè volat vitæ hujusce curriculum! —Quàm inanes ergò *terrenæ* gloriarum φλογές! Regiones ad alias, et altiores, et jucundiores scenas, citò migratum iveris: —ubi cùm perveneris, quantillos et quàm parvulos hominum cunctarum gentium honores videbis!—Inter acclamationes totius mundi moralis, et triumphos generales, quàm exigui fient! Aureum illud honoris emblema, quo nuper decorabaris, musarumque laurus, et gratulationes omnium gentium, en,

quàm evanescent!—Puerorum nugæ videbuntur æmulatoriæ, et ineptiæ futiles. Gaudia autem stabiliora è largiori famâ et magis diuturna provenient. Jure aveas quantumvis amplissimam humani generis benevolentiam; tamen beandis hominibus, largioris gloriæ amplitudine, incendiis et dulcedine, et honoribus nunquam finiendis animeris.

Gratulationes ideo, vir optime, nostras de tuis accumulatis honoribus, in bonam partem de nobis accipias petimus. Grates quoque addimus hasce publicas ob peramplam tuam erga Academiam nostram generositatem, præclarâ donatione *Apparatus Electrici tui.* Salve iterum atque iterum, ô philosophorum princeps; plurima tibi præmia, plurimos honores, plurimamque gloriam exoptamus. Dixi.

SOME ANECDOTES RELATIVE TO DR. FRANKLIN.

Dr. Franklin, when a child, found the long graces used by his father before and after meals very tedious. One day after the winter's provisions had been salted,—"I think, Father," said Benjamin, "if you were to say *grace* over the whole cask—once for all—it would be a vast *saving of time.*"

In his travels through New England, Franklin had observed, that when he went into an inn, every individual of the family had a question or two to propose to him, relative to his history; and that, till each was satisfied, and they had conferred and compared together their information, there was no possi-

bility of procuring any refreshment.—Therefore the moment he went into any of these places, he inquired for the master, the mistress, the sons, the daughters, the men-servants, and the maid-servants; and having assembled them all together, he began in this manner: "Good people, I am Benjamin Franklin of Philadelphia; by trade a printer; and a bachelor; I have some relations at Boston, to whom I am going to make a visit: my stay will be short, and I shall then return and follow my business, as a prudent man ought to do. This is all I know of myself, and all I can possibly inform you of; I beg, therefore, that you will have pity upon me and my horse, and give us both some refreshment."

When Franklin came to England previous to the breaking out of the American war, he went to Mr. Hett's Printing Office in Wild Court, Wild Street, Lincoln's Inn Fields, and entering the press-room, he went up to a particular press,[1] and thus addressed the two men who were working; "Come, my friends, we will drink together; it is now forty years since I worked like you at this press as journeyman printer:" on this he sent for a gallon of porter, and they drank "*success to printing.*"

In one of the assemblies in America, wherein there was a majority of Presbyterians, a law was proposed to forbid the praying for the King by the Episcopalians; who, however, could not conveniently omit that prayer, it being prescribed in their Liturgy. Dr. Franklin, one of the members, seeing that such a law would occasion more disturbance than it was

[1] This press is now in the possession of Messrs. Cox and Baylis, Great Queen Street.

worth, said, that he thought it quite *unnecessary*, for, added he, "those people have, to my certain knowledge, been praying constantly these twenty years past, that '*God would give to the King and his counsel wisdom*,' and we all know that not the least notice has ever been taken of that prayer; so that it is plain they have no interest in the court of Heaven." The house smiled, and the motion was dropt.

In Philadelphia, where there are no *noblesse*, but the inhabitants are all either merchants or mechanics, the merchants, many years since, set up an assembly for dancing, and desiring to make a distinction, and to assume a rank above the mechanics, they at first proposed this among the rules for regulating the assembly, "that *no mechanic or mechanic's wife or daughter should be admitted on any terms*." These rules being shown by a manager to Dr. Franklin for his opinion, he remarked, that one of them excluded GOD ALMIGHTY. "*How so?*" said the manager. "*Because*," replied the Doctor, "*he is notoriously the greatest mechanic in the universe*; having, as the Scripture testifies, made all things, and that by *weight* and *measure*." The intended *new gentlemen* became ashamed of their rule, and struck it out.

About the year 1752, Dr. Franklin having entered into a correspondence with Samuel Johnson, doctor of divinity in the University of Oxford, and afterwards president of King's College, in New York, and having endeavored to induce the latter to accept the presidency of the College at Philadelphia, and as an additional motive to his doing so, having offered to procure the erection of a new Episcopal church for him in that city; and Doctor Johnson having expressed some doubts respecting the propriety of such a

measure, Dr. Franklin wrote a letter for the purpose of removing his scruples, of which the following extract has been preserved, viz. "Your tenderness of the church's peace is truly laudable; but, methinks, to build a new church in a growing place, is not properly *dividing*, but *multiplying*, and will really be a means of increasing the number of those who worship God in that way. Many who cannot now be accommodated in the church, go to other places, or stay at home; and if we had another church, many who go to other places, or stay at home, would go to church. I had for several years nailed against the wall of my house a pigeon-box that would hold six pair; and though they bred as fast as my neighbor's pigeons, I never had more than six pair, the old and strong driving out the young and weak, and obliging them to seek new habitations. At length I put up an additional box, with apartments for entertaining twelve pair more, and it was soon filled with inhabitants, by the overflowing of my first box, and of others in the neighborhood. This I take to be a parallel case with the building a *new church* here."

Dr. Franklin was so immoderately fond of chess, that one evening at Passy, he sat at that amusement from six in the afternoon till sun-rise. On the point of losing one of his games, his *king* being attacked, by what is called a *check*, but an opportunity offering at the same time of giving a fatal blow to his adversary, provided he might neglect the defence of his king, he chose to do so, though contrary to the rules, and made his move. "Sir," said the French gentleman, his antagonist, "you cannot do that, and leave your king *in check*." "I see he is in check," said the Doctor, "but I shall not defend him. If he was a good king like yours, he would deserve the protection of his subjects; but he is a

tyrant, and has cost them already more than he is worth: —Take him, if you please; I can do without him, and will fight out the rest of the battle, *en Républicain*—as a Commonwealth's man."

END OF SUPPLEMENT TO MEMOIRS.

APPENDIX.

APPENDIX

TO

MEMOIRS.

No. I.

Journal of Occurrences in a Voyage to Philadelphia, &c.

[Referred to in Memoirs, Part I. p. 77.]

JOURNAL of occurrences in my voyage to Philadelphia on board the Berkshire, Henry Clark, master, from London.

Friday, July 22d, 1726.

Yesterday in the afternoon we left London, and came to an anchor off Gravesend about eleven at night. I lay ashore all night, and this morning took a walk up to the Windmill Hill, whence I had an agreeable prospect of the country for about twenty miles round, and two or three reaches of the river with ships and boats sailing both up and down, and Tilbury Fort on the other side, which commands the river and passage to London. This Gravesend is a *cursed biting* place; the chief dependence of the people being the advantage they make of imposing upon strangers. If you buy any thing of them, and give half what they ask, you pay twice as much as the thing is worth. Thank God, we shall leave it to-morrow.

Saturday, July 23.

This day we weighed anchor and fell down with the tide, there being little or no wind. In the afternoon we had a

a fresh gale, that brought us down to Margate, where we shall lie at anchor this night. Most of the passengers are very sick. Saw several porpoises, &c.

Sunday, July 24.

This morning we weighed anchor, and, coming to the Downs, we set our pilot ashore at Deal and passed through. And now, whilst I write this, sitting upon the quarter-deck, I have methinks one of the pleasantest scenes in the world before me. 'Tis a fine clear day, and we are going away before the wind with an easy pleasant gale. We have near fifteen sail of ships in sight, and I may say in company. On the left hand appears the coast of France at a distance, and on the right is the town and castle of Dover, with the green hills and chalky cliffs of England, to which we must now bid farewel.—Albion, farewel!

Monday, July 25.

All the morning calm. Afternoon sprung up a gale at east: blew very hard all night. Saw the Isle of Wight at a distance.

Tuesday, July 26.

Contrary winds all day, blowing pretty hard. Saw the Isle of Wight again in the evening.

Wednesday, July 27.

This morning, the wind blowing very hard at west, we stood in for the land, in order to make some harbor. About noon we took on board a pilot out of a fishing shallop, who brought the ship into Spithead off Portsmouth. The captain, Mr. Denham and myself went on shore, and during the little time we staid I made some observations on the place.

Portsmouth has a fine harbor. The entrance is so narrow that you may throw a stone from fort to fort; yet it is near ten fathom deep and bold close to: but within there is room enough for five hundred, or, for aught I know, a thousand sail of ships. The town is strongly fortified, being encompassed

with a high wall and a deep and broad ditch, and two gates that are entered over drawbridges; besides several forts, batteries of large cannon, and other outworks, the names of which I know not, nor had I time to take so strict a view as to be able to describe them. In war time the town has a garrison of 10,000 men; but at present it is only manned by about 100 invalids. Notwithstanding the English have so many fleets of men of war at sea at this time,[1] I counted in this harbor above thirty sail of second, third, and fourth rates that lay by unrigged, but easily fitted out upon occasion, all their masts and rigging lying marked and numbered in storehouses at hand. The king's yards and docks employ abundance of men, who even in peace time are constantly building and refitting men of war for the king's service. Gosport lies opposite to Portsmouth, and is near as big, if not bigger; but except the fort at the mouth of the harbor, and a small outwork before the main street of the town, it is only defended by a mud wall which surrounds it, and a trench or dry ditch of about ten feet depth and breadth. Portsmouth is a place of very little trade in peace time; it depending chiefly on fitting out men of war. Spithead is the place where the fleet commonly anchor, and is a very good riding place. The people of Portsmouth tell strange stories of the severity of one *Gibson*, who was governor of this place in the Queen's time, to his soldiers, and show you a miserable dungeon by the town gate, which they call *Johnny Gibson's Hole*, where, for trifling misdemeanors, he used to confine his soldiers till they were almost starved to death. It is a common maxim, that without severe discipline it is impossible to govern the licentious rabble of soldiery. I own, indeed, that if a commander finds he has not those qualities in him that will make him beloved by his

[1] One gone to the Baltic, one to the Mediterranean; and one to the West Indies.

people, he ought by all means to make use of such methods as will make them fear him, since one or the other (or both) is absolutely necessary; but Alexander and Cæsar, those renowned generals, received more faithful service, and performed greater actions, by means of the love their soldiers bore them, than they could possibly have done if, instead of being beloved and respected, they had been hated and feared by those they commanded.

Thursday, July 28.

This morning we came on board, having lain on shore all night. We weighed anchor, and with a moderate gale stood in for Cowes in the Isle of Wight, and came to an anchor before the town about eleven o'clock. Six of the passengers went on shore and diverted themselves till about 12 at night; and then got a boat, and came on board again, expecting to sail early in the morning.

Friday, July 29.

But the wind continuing adverse still, we went ashore again this morning, and took a walk to Newport, which is about four miles distant from Cowes, and is the metropolis of the island. Thence we walked to Carisbrooke, about a mile farther, out of curiosity to see that castle, which King Charles the First was confined in; and so returned to Cowes in the afternoon, and went on board in expectation of sailing.

Cowes is but a small town, and lies close to the sea-side, pretty near opposite to Southampton on the main shore of England. It is divided into two parts by a small river that runs up within a quarter of a mile of Newport, and is distinguished by East and West Cowes. There is a fort built in an oval form, on which there are eight or ten guns mounted for the defence of the road. They have a post-office, a custom-house, and a chapel of ease; and a good harbor for ships to ride in, in easterly and westerly winds.

All this afternoon I spent agreeably enough at the draft-board. It is a game I much delight in; but it requires a clear head, and undisturbed; and the persons playing, if they would play well, ought not much to regard the *consequence* of the game, for that diverts and withdraws the attention of the mind from the game itself, and makes the player liable to make many false open moves; and I will venture to lay it down for an infallible rule, that if two persons *equal* in judgment play for a considerable sum, he that loves money most shall lose; his anxiety for the success of the game confounds him. Courage is almost as requisite for the good conduct of this game as in a real battle; for if the player imagines himself opposed by one that is much his superior in skill, his mind is so intent on the defensive part that an advantage passes unobserved.

Newport makes a pretty prospect enough from the hills that surround it; (for it lies down in a bottom.) The houses are beautifully intermixed with trees, and a tall old-fashioned steeple rises in the midst of the town, which is very ornamental to it. The name of the church I could not learn; but there is a very neat market-house, paved with square stone, and consisting of eleven arches. There are several pretty handsome streets, and many well-built houses and shops well stored with goods. But I think Newport is chiefly remarkable for oysters, which they send to London and other places, where they are very much esteemed, being thought the best in England. The oyster-merchants fetch them, as I am informed, from other places, and lay them upon certain beds in the river (the water of which is it seems excellently adapted for that purpose) a-fattening; and when they have laid a suitable time they are taken up again, and made fit for sale.

When we came to Carisbrooke, which, as I said before, is a little village about a mile beyond Newport, we took a view of an ancient church that had formerly been a priory in

Romish times, and is the first church, or the mother-church of the island. It is an elegant building, after the old Gothic manner, with a very high tower, and looks very venerable in its ruins. There are several ancient monuments about it; but the stone of which they are composed is of such a soft crumbling nature, that the inscriptions are none of them legible. Of the same stone are almost all the tomb-stones, &c. that I observed in the island. From this church, (having crossed over the brook that gives name to the village, and got a little boy for a guide) we went up a very steep hill, through several narrow lanes and avenues, till we came to the castle gate. We entered over the ditch (which is now almost filled up, partly by the ruins of the mouldering walls that have tumbled into it, and partly by the washing down of the earth from the hill by the rains) upon a couple of brick arches, where I suppose formerly there was a drawbridge. An old woman who lives in the castle, seeing us strangers walk about, sent and offered to show us the rooms if we pleased, which we accepted. This castle, as she informed us, has for many years been the seat of the governors of the island: and the rooms and hall, which are very large and handsome, with high arched roofs, have all along been kept handsomely furnished, every succeeding governor buying the furniture of his predecessor; but Cadogan, the last governor, who succeeded General Webb, refusing to purchase it, Webb stripped it clear of all, even the hangings, and left nothing but bare walls. The floors are several of them of plaister of Paris, the art of making which, the woman told us, was now lost. The castle stands upon a very high and steep hill, and there are the remains of a deep ditch round it; the walls are thick, and seemingly well contrived: and certainly it has been a very strong hold in its time, at least before the invention of great guns. There are several breaches in the ruinous walls, which are never repaired, (I suppose they are purposely neglected) and the ruins are

almost everywhere overspread with ivy. It is divided into the lower and the upper castle, the lower enclosing the upper, which is of a round form, and stands upon a promontory to which you must ascend by near an hundred stone steps: this upper castle was designed for a retreat in case the lower castle should be won, and is the least ruinous of any part except the stairs before mentioned, which are so broken and decayed, that I was almost afraid to come down again when I was up, they being but narrow, and no rails to hold by. From the battlements of this upper castle (which they call the coop) you have a fine prospect of the greatest part of the island, of the sea on one side, of Cowes road at a distance, and of Newport as it were just below you. There is a well in the middle of the coop, which they called the bottomless well, because of its great depth; but it is now half filled up with stones and rubbish, and is covered with two or three loose planks; yet a stone, as we tried, is near a quarter of a minute in falling before you hear it strike. But the well that supplies the inhabitants at present with water is in the lower castle, and is thirty fathoms deep. They draw their water with a great wheel, and with a bucket that holds near a barrel. It makes a great sound if you speak in it, and echoed the flute which we played over it very sweetly. There are but seven pieces of ordnance mounted upon the walls, and those in no very good order; and the old man who is the gunner and keeper of the castle, and who sells ale in a little house at the gate, has in his possession but six muskets, (which hang up at his wall) and one of them wants a lock. He told us that the castle, which had now been built 1203 years, was first founded by one Whitgert, a Saxon, who conquered the island, and that it was called Whitgertsburg for many ages. That particular piece of building which King Charles lodged in during his confinement here, is suffered to go entirely to ruin, there being nothing standing but the walls.

The island is about sixty miles in circumference, and produces plenty of corn and other provisions, and wool as fine as Cotswold: its militia having the credit of equalling the soldiery, and being the best disciplined in England, * * * * * was once, in King William's time, entrusted with the government of this island. At his death it appeared he was a great villain, and a great politician; there was no crime so damnable which he would stick at in the execution of his designs, and yet he had the art of covering all so thick, that with almost all men in general, while he lived, he passed for a saint. What surprised me was, that the silly old fellow, the keeper of the castle, who remembered him governor, should have so true a notion of his character as I perceived he had. In short I believe it is impossible for a man, though he has all the cunning of a devil, to live and die a villain, and yet conceal it so well as to carry the name of an honest fellow to the grave with him, but some one by some accident or other shall discover him. Truth and sincerity have a certain distinguishing native lustre about them which cannot be perfectly counterfeited—they are like fire and flame that cannot be painted.

The whole castle was repaired and beautified by Queen Elizabeth, and strengthened by a breast-work all round without the walls, as appears by this inscription in one or two places upon it.

1598
E. R.
40

Saturday, July 30.

This morning about eight o'clock we weighed anchor, and turned to windward till we came to Yarmouth, another little town upon this island, and there cast anchor again, the wind blowing hard, and still westerly. Yarmouth is a smaller town than Cowes; yet, the buildings being better, it makes a handsomer prospect at a distance, and the streets are clean

and neat. There is one monument in the church, which the inhabitants are very proud of, and which we went to see. It was erected to the memory of Sir Robert Holmes, who had formerly been governor of the island. It is his statue in armor, somewhat bigger than the life, standing on his tomb, with a truncheon in his hand, between two pillars of porphyry. Indeed all the marble about it is very fine and good; and they say it was designed by the French king for his palace at Versailles, but was cast away upon this island, and by Sir Robert himself in his life-time applied to this use, and that the whole monument was finished long before he died, (though not fixed up in that place); the inscription likewise (which is very much to his honor) being written by himself. One would think either that he had no defect at all, or had a very ill opinion of the world, seeing he was so careful to make sure of a monument to record his good actions and transmit them to posterity.

Having taken a view of the church, town, and fort, (on which there are seven large guns mounted) three of us took a walk up further into the island, and having gone about two miles, we headed a creek that runs up one end of the town, and then went to Freshwater Church, about a mile nearer the town, but on the other side of the creek. Having stayed here some time it grew dark, and my companions were desirous to be gone, lest those whom we had left drinking where we dined in the town should go on board and leave us. We were told that it was our best way to go straight down to the mouth of the creek, and that there was a ferry boy that would carry us over to the town. But when we came to the house the lazy whelp was in bed, and refused to rise and put us over; upon which we went down to the water-side, with a design to take his boat, and go over by ourselves. We found it very difficult to get the boat, it being fastened to a stake, and the tide

risen near fifty yards beyond it: I stripped all to my shirt to wade up to it; but missing the causeway, which was under water, I got up to my middle in mud. At last I came to the stake; but, to my great disappointment, found she was locked and chained. I endeavored to draw the staple with one of the thole-pins, but in vain; I tried to pull up the stake, but to no purpose: so that after an hour's fatigue and trouble in the wet and mud, I was forced to return without the boat. We had no money in our pockets, and therefore began to conclude to pass the night in some hay-stack, though the wind blew very cold and very hard. In the midst of these troubles one of us recollected that he had a horse-shoe in his pocket, which he found in his walk, and asked me if I could not wrench the staple out with that. I took it, went, tried and succeeded, and brought the boat ashore to them. Now we rejoiced and all got in, and when I had dressed myself we put off. But the worst of all our troubles was to come yet; for, it being high water and the tide over all the banks, though it was moonlight we could not discern the channel of the creek; but rowing heedlessly straight forward, when we were got about half way over, we found ourselves aground on a mud bank, and striving to row her off by putting our oars in the mud, we broke one and there stuck fast, not having four inches water. We were now in the utmost perplexity, not knowing what in the world to do; we could not tell whether the tide was rising or falling; but at length we plainly perceived it was ebb, and we could feel no deeper water within the reach of our oar. It was hard to lie in an open boat all night exposed to the wind and weather; but it was worse to think how foolish we should look in the morning, when the owner of the boat should catch us in that condition, where we must be exposed to the view of all the town. After we had strove and struggled for half an hour and more, we gave all

over, and sat down with our hands before us, despairing to get off; for if the tide had left us, we had been never the nearer—we must have sat in the boat, as the mud was too deep for us to walk ashore through it, being up to our necks. At last we bethought ourselves of some means of escaping, and two of us stripped and got out, and thereby lightened the boat, we drew her upon our knees near fifty yards into deeper water; and then with much ado, having but one oar, we got safe ashore under the fort; and having dressed ourselves and tied the man's boat, we went with great joy to the Queen's Head, where we left our companions, whom we found waiting for us, though it was very late. Our boat being gone on board, we were obliged to lie ashore all night; and thus ended our walk.

Sunday, July 31.

This morning the wind being moderated, our pilot designed to weigh, and, taking advantage of the tide, get a little further to windward. Upon which the boat came ashore, to hasten us on board. We had no sooner returned and hoisted in our boat, but the wind began again to blow very hard at west, insomuch that, instead of going any further, we were obliged to weigh and run down again to Cowes for the sake of more secure riding, where we came to an anchor again in a very little time; and the pudding which our mess made and put into the pot at Yarmouth, we dined upon at Cowes.

Monday, August 1.

This morning all the vessels in the harbor put out their colors in honor of the day, and it made a very pretty appearance. The wind continuing to blow hard westerly, our mess resolved to go on shore, though all our loose corks were gone already. We took with us some goods to dispose of, and walked to Newport to make our market, where we sold

for three shillings in the pound less than the prime cost in London; and having dined at Newport, we returned in the evening to Cowes, and concluded to lodge on shore.

Tuesday, August 2d.

This day we passed on shore, diverting ourselves as well as we could; and the wind continuing still westerly, we stayed on shore this night also.

Wednesday, August 3d.

This morning we were hurried on board, having scarce time to dine, weighed anchor, and stood away for Yarmouth again, though the wind is still westerly; but meeting with a hoy when we were near half-way there, that had some goods on board for us to take in, we tacked about for Cowes, and came to anchor there a third time, about four in the afternoon.

Thursday, August 4.

Stayed on board till about five in the afternoon, and then went on shore and stopped all night.

Friday, August 5.

Called up this morning and hurried aboard, the wind being north-west. About noon we weighed and left Cowes a third time, and sailing by Yarmouth we came into the channel through the Needles; which passage is guarded by Hurst Castle, standing on a spit of land which runs out from the main land of England within a mile of the Isle of Wight. Towards night the wind veered to the westward, which put us under apprehensions of being forced into port again: but presently after it fell a flat calm, and then we had a small breeze that was fair for half an hour, when it was succeeded by a calm again.

Saturday, August 6.

This morning we had a fair breeze for some hours, and

then a calm that lasted all day. In the afternoon I leaped overboard and swam round the ship to wash myself. Saw several porpoises this day. About eight o'clock we came to an anchor in forty fathom water against the tide of flood, somewhere below Portland, and weighed again about eleven, having a small breeze.

Sunday, August 7.

Gentle breezes all this day. Spoke with a ship, the Ruby, bound for London from Nevis, off the Start of Plymouth. This afternoon spoke with Captain Homans in a ship bound for Boston, who came out of the river when we did, and had been beating about in the channel all the time we lay at Cowes in *the Wight.*

Monday, August 8.

Fine weather, but no wind worth mentioning, all this day; in the afternoon saw the Lizard.

Tuesday, August 9.

Took our leave of the land this morning. Calms the fore part of the day. In the afternoon a small gale; fair. Saw a grampus.

Wednesday, August 10.

Wind N. W. Course S. W. about four knots. By observation in latitude 48° 50′. Nothing remarkable happened.

Thursday, August 11.

Nothing remarkable. Fresh gale all day.

Calms and fair breezes alternately. { *Friday, August* 12. / *Saturday,* —— 13. / *Sunday,* —— 14.

No contrary winds, but calm and fair breezes alternately. { *Monday,* —— 15. / *Tuesday,* —— 16. / *Wednesday,* —— 17.

Thursday, August 18.

Four dolphins followed the ship for some hours: we struck at them with the fizgig, but took none.

Friday, August 19.

This day we have had a pleasant breeze at east. In the morning we spied a sail upon our larboard bow, about two leagues distance. About noon she put out English colors, and we answered with our ensign, and in the afternoon we spoke with her. She was a ship of New York, Walter Kippen master, bound from Rochelle in France, to Boston, with salt. Our captain and Mr. D. went on board and stayed till evening, it being fine weather. Yesterday complaints being made that a Mr. G——n, one of the passengers, had with a fraudulent design marked the cards, a court of justice was called immediately, and he was brought to his trial in form. A Dutchman who could speak no English deposed by his interpreter, that when our mess was on shore at Cowes, the prisoner at the bar marked all the court cards on the back with a pen.

I have sometimes observed that we are apt to fancy the person that cannot speak intelligibly to us, proportionably stupid in understanding, and when we speak two or three words of English to a foreigner, it is louder than ordinary, as if we thought him deaf, and that he had lost the use of his ears as well as his tongue. Something like this I imagine might be the case of Mr. G——n; he fancied the Dutchman could not see what he was about because he could not understand English, and therefore boldly did it before his face.

The evidence was plain and positive; the prisoner could not deny the fact, but replied in his defence, that the cards he marked were not those we commonly played with,

but an imperfect pack, which he afterwards gave to the cabin-boy. The Attorney-General observed to the court, that it was not likely he should take the pains to mark the cards without some ill design, or some further intention than just to give them to the boy when he had done, who understood nothing at all of cards. But another evidence being called, deposed that he saw the prisoner in the main-top one day when he thought himself unobserved, marking a pack of cards on the backs, some with the print of a dirty thumb, others with the top of his finger, &c. Now there being but two packs on board, and the prisoner having just confessed the marking of one, the court perceived the case was plain. In fine, the jury brought him in guilty, and he was condemned to be carried up to the round top, and made fast there in view of all the ship's company during the space of three hours, that being the place where the act was committed, and to pay a fine of two bottles of brandy. But the prisoner resisting authority, and refusing to submit to punishment, one of the sailors stepped up aloft and let down a rope to us, which we with much struggling made fast about his middle, and hoisted him up into the air, sprawling, by main force. We let him hang, cursing and swearing, for near a quarter of an hour; but at length he crying out murder! and looking black in the face, the rope being overtort about his middle, we thought proper to let him down again; and our mess have excommunicated him till he pays his fine, refusing either to play, eat, drink, or converse with him.

Saturday, August 20.

We shortened sail all last night and all this day, to keep company with the other ship. About noon Captain Kippen and one of his passengers came on board and dined with us; they stayed till evening. When they were gone we made sail and left them.

Sunday, August 21.

This morning we lost sight of the Yorker, having a brisk gale of wind at east. Towards night a poor little bird came on board us, being almost tired to death, and suffered itself to be taken by the hand. We reckon ourselves near two hundred leagues from land, so that no doubt a little rest was very acceptable to the unfortunate wanderer, who 'tis like was blown off the coast in thick weather, and could not find its way back again. We receive it hospitably, and tender it victuals and drink; but he refuses both, and I suppose will not live long. There was one came on board some days ago in the same circumstances with this, which I think the cat destroyed.

Monday, August 22.

This morning I saw several flying-fish, but they were small. A favorable wind all day.

Fair winds, nothing remarkable. { *Tuesday, August* 23. / *Wednesday,* —— 24.

Thursday, August 25.

Our excommunicated ship-mate thinking proper to comply with the sentence the court passed upon him, and expressing himself willing to pay the fine, we have this morning received him into unity again. Man is a sociable being, and it is for aught I know one of the worst of punishments to be excluded from society. I have read abundance of fine things on the subject of solitude, and I know 'tis a common boast in the mouths of those that affect to be thought wise, *that they are never less alone than when alone.* I acknowledge solitude an agreeable refreshment to a busy mind; but were these thinking people obliged to be always alone, I am apt to think they would quickly find their very being insupportable to them. I have heard of a gentleman who under-

went seven years close confinement, in the Bastile at Paris. He was a man of sense, he was a thinking man; but being deprived of all conversation, to what purpose should he think? for he was denied even the instruments of expressing his thoughts in writing. There is no burden so grievous to man as time that he knows not how to dispose of. He was forced at last to have recourse to this invention: he daily scattered pieces of paper about the floor of his little room, and then employed himself in picking them up and sticking them in rows and figures on the arm of his elbow-chair; and he used to tell his friends, after his release, that he verily believed if he had not taken this method he should have lost his senses. One of the philosophers, I think it was Plato, used to say, that he had rather be the veriest stupid block in nature, than the possessor of all knowledge without some intelligent being to communicate it to.

What I have said may in a measure account for some particulars in my present way of living here on board. Our company is in general very unsuitably mixed, to keep up the pleasure and spirit of conversation: and if there are one or two pair of us that can sometimes entertain one another for half an hour agreeably, yet perhaps we are seldom in the humor for it together. I rise in the morning and read for an hour or two perhaps, and then reading grows tiresome. Want of exercise occasions want of appetite, so that eating and drinking affords but little pleasure. I tire myself with playing at drafts, then I go to cards; nay there is no play so trifling or childish, but we fly to it for entertainment. A contrary wind, I know not how, puts us all out of good humor; we grow sullen, silent and reserved, and fret at each other upon every little occasion. 'Tis a common opinion among the ladies, that if a man is ill-natured he infallibly discovers it when he is in liquor. But I, who have known

many instances to the contrary, will teach them a more effectual method to discover the natural temper and disposition of their humble servants. Let the ladies make one long sea voyage with them, and if they have the least spark of ill nature in them and conceal it to the end of the voyage, I will forfeit all my pretensions to their favor. The wind continues fair.

Friday, August 26.

The wind and weather fair till night came on; and then the wind came about, and we had hard squalls with rain and lightning till morning.

Saturday, August 27.

Cleared up this morning, and the wind settled westerly. Two dolphins followed us this afternoon: we hooked one and struck the other with the fizgig; but they both escaped us, and we saw them no more.

Sunday, August 28.

The wind still continues westerly, and blows hard. We are under a reefed mainsail and foresail.

Monday, August 29.

Wind still hard west. Two dolphins followed us this day; we struck at them, but they both escaped.

Tuesday, August 30.

Contrary wind still. This evening the moon being near full, as she rose after eight o'clock, there appeared a rainbow in a western cloud to windward of us. The first time I ever saw a rainbow in the night caused by the moon.

Wednesday, August 31.

Wind still West: nothing remarkable.

Thursday, Sept. 1.

Bad weather, and contrary winds.

Friday, Sept. 2.

This morning the wind changed; a little fair. We caught a couple of dolphins, and fried them for dinner. They tasted tolerably well. These fish make a glorious appearance in the water: their bodies are of a bright green, mixed with a silver color, and their tails of a shining golden yellow; but all this vanishes presently after they are taken out of their element, and they change all over to a light grey. I observed that cutting off pieces of a just-caught living dolphin for baits, those pieces did not lose their lustre and fine colors when the dolphin died, but retained them perfectly. Every one takes notice of that vulgar error of the painters, who always represent this fish monstrously crooked and deformed, when it is in reality as beautiful and well-shaped a fish as any that swims. I cannot think what could be the original of this chimera of theirs, (since there is not a creature in nature that in the least resembles their dolphin) unless it proceeded at first from a false imitation of a fish in the posture of leaping, which they have since improved into a crooked monster with a head and eyes like a bull, a hog's snout, and a tail like a blown tulip. But the sailors give me another reason, though a whimsical one, viz. that as this most beautiful fish is only to be caught at sea, and that very far to the southward, they say the painters wilfully deform it in their representations, lest pregnant women should long for what it is impossible to procure for them.

Saturday, Sept. 3.
Sunday, —— 4.
Monday, —— 5.

Wind still westerly. nothing remarkable.

Tuesday, Sept. 6.

This afternoon the wind still continuing in the same quarter,

increased till it blew a storm, and raised the sea to a greater height than I had ever seen it before.

Wednesday, Sept. 7.

The wind is somewhat abated, but the sea is very high still. A dolphin kept us company all this afternoon: we struck at him several times, but could not take him.

Thursday, Sept. 8.

This day nothing remarkable has happened. Contrary wind.

Friday, Sept. 9.

This afternoon we took four large dolphins, three with a hook and line, and the fourth we struck with a fizgig. The bait was a candle with two feathers stuck in it, one on each side, in imitation of a flying-fish, which are the common prey of the dolphins. They appeared extremely eager and hungry, and snapped up the hook as soon as ever it touched the water. When we came to open them, we found in the belly of one a small dolphin half-digested. Certainly they were half-famished, or are naturally very savage, to devour those of their own species.

Saturday, Sept. 10.

This day we dined upon the dolphins we caught yesterday, three of them sufficing the whole ship, being twenty-one persons.

Sunday, Sept. 11.

We have had a hard gale of wind all this day, accompanied with showers of rain. 'Tis uncomfortable being upon deck; and though we have been altogether all day below, yet the long continuance of these contrary winds has made us so dull, that scarce three words have passed between us.

Monday, Sept. 12.
Tuesday, —— 13.

Nothing remarkable; wind contrary.

Wednesday, Sept. 14.

This afternoon about two o'clock, it being fair weather and almost calm, as we sat playing draughts upon deck, we were surprised with a sudden and unusual darkness of the sun, which, as we could perceive, was only covered with a small thin cloud: when that was passed by, we discovered that that glorious luminary labored under a very great eclipse. At least ten parts out of twelve of him were hid from our eyes, and we were apprehensive he would have been totally darkened.

Thursday, Sept. 15.

For a week past we have fed ourselves with the hopes that the change of the moon (which was yesterday) would bring us a fair wind; but to our great mortification and disappointment, the wind seems now settled in the westward, and shews as little signs of an alteration as it did a fortnight ago.

Friday, Sept. 16.

Calm all this day. This morning we saw a *tropic bird*, which flew round our vessel several times. It is a white fowl with short wings; but one feather appears in his tail, and he does not fly very fast. We reckon ourselves about half our voyage; latitude 38 and odd minutes. These birds are said never to be seen further north than the latitude of 40.

Saturday, Sept. 17.

All the forenoon the calm continued; the rest of the day some light breezes easterly; and we are in great hopes the wind will settle in that quarter.

Sunday, Sept. 18.

We have had the finest weather imaginable all this day, accompanied with what is still more agreeable, a fair wind. Every one puts on a clean shirt and a cheerful countenance, and we begin to be very good company. Heaven grant that

this favorable gale may continue! for we have had so much of turning to windward, that the word *helm-a-lee* is become almost as disagreeable to our ears as the sentence of a judge to a convicted malefactor.

Monday, Sept. 19.

The weather looks a little uncertain, and we begin to fear the loss of our fair wind. We see tropic birds every day, sometimes five or six together; they are about as big as pigeons.

Tuesday, Sept. 20.

The wind is now westerly again, to our great mortification; and we are come to an allowance of bread, two biscuits and a half a-day.

Wednesday, Sept. 21.

This morning our steward was brought to the geers and whipped, for making an extravagant use of flour in the puddings, and for several other misdemeanors. It has been perfectly calm all this day, and very hot. I was determined to wash myself in the sea to-day, and should have done so, had not the appearance of a shark, that mortal enemy to swimmers, deterred me: he seemed to be about five feet long, moves round the ship at some distance, in a slow majestic manner, attended by near a dozen of those they call pilot-fish, of different sizes; the largest of them is not so big as a small mackarel, and the smallest not bigger than my little finger. Two of these diminutive pilots keep just before his nose, and he seems to govern himself in his motions by their direction; while the rest surround him on every side indifferently. A shark is never seen without a retinue of these, who are his purveyors, discovering and distinguishing his prey for him; while he in return gratefully protects them from the ravenous hungry dolphin. They are commonly counted a very greedy

fish; yet this refuses to meddle with the bait thrown out for him. 'Tis likely he has lately made a full meal.

Thursday, Sept. 22.

A fresh gale at west all this day. The shark has left us.

Friday, Sept. 23.

This morning we spied a sail to windward of us about two leagues. We shewed our jack upon the ensign-staff, and shortened sail for them till about noon, when she came up with us. She was the Snow, from Dublin, bound to New York, having upwards of fifty servants on board, of both sexes; they all appeared upon deck, and seemed very much pleased at the sight of us. There is really something strangely cheering to the spirits in the meeting of a ship at sea, containing a society of creatures of the same species and in the same circumstances with ourselves, after we had been long separated and excommunicated as it were from the rest of mankind. My heart fluttered in my breast with joy when I saw so many human countenances, and I could scarce refrain from that kind of laughter which proceeds from some degree of inward pleasure. When we have been for a considerable time tossing on the vast waters, far from the sight of any land or ships, or any mortal creature but ourselves (except a few fish and sea birds) the whole world, for aught we know, may be under a second deluge, and we (like Noah and his company in the ark) the only surviving remnant of the human race. The two captains have mutually promised to keep each other company; but this I look upon to be only matter of course, for if ships are unequal in their sailing they seldom stay for one another, especially strangers. This afternoon the wind that has been so long contrary to us, came about to the eastward (and looks as if it would hold), to our no small satisfaction. I find our messmates in a better humor, and more pleased with their present condition than they have been since they

came out; which I take to proceed from the contemplation of the miserable circumstances of the passengers on board our neighbor, and making the comparison. We reckon ourselves in a kind of paradise, when we consider how they live, confined and stifled up with such a lousy stinking rabble in this sultry latitude.

Saturday, Sept. 24.

Last night we had a very high wind, and very thick weather; in which we lost our consort. This morning early we spied a sail a-head of us, which we took to be her; but presently after we spied another, and then we plainly perceived that neither of them could be the Snow; for one of them stemmed with us, and the other bore down directly upon us, having the weather-gage of us. As the latter drew near we were a little surprised, not knowing what to make of her; for by the course she steered she did not seem designed for any port, but looked as if she intended to clap us aboard immediately. I could perceive concern in every face on board; but she presently eased us of our apprehensions by bearing away a-stern of us. When we hoisted our jack she answered with French colors, and presently took them down again; and we soon lost sight of her. The other ran by us in less than half an hour, and answered our jack with an English ensign: she stood to the eastward, but the wind was too high to speak with either of them. About nine o'clock we spied our consort, who had got a great way a-head of us. She, it seems, had made sail in the night, while we lay-by with our main-yard down during the hard gale. She very civilly shortened sail for us, and this afternoon we came up with her; and now we are running along very amicably together side by side, having a most glorious fair wind.

On either side the parted billows flow,
While the black ocean foams and roars below.

Sunday, Sept. 25.

Last night we shot a-head of our consort pretty far. About midnight, having lost sight of each other, we shortened sail for them: but this morning they were got as far a-head of us as we could see, having run by us in the dark unperceived. We made sail and came up with them about noon; and if we chance to be a-head of them again in the night, we are to shew them a light, that we may not lose company by any such accident for the future. The wind still continues fair, and we have made a greater run these last four-and-twenty hours than we have done since we came out. All our discourse now is of Philadelphia, and we begin to fancy ourselves on shore already. Yet a small change of weather, attended by a westerly wind, is sufficient to blast all our blooming hopes, and quite spoil our present good humor.

Monday, Sept. 26.

The wind continued fair all night. In the twelve o'clock watch our consort, who was about a league a-head of us, showed us a light, and we answered with another. About six o'clock this morning we had a sudden hurry of wind at all points of the compass, accompanied with the most violent shower of rain I ever saw, insomuch that the sea looked like a *cream dish*. It surprised us with all our sails up, and was so various, uncertain, and contrary, that the mizen topsail was full, while the head sails were all aback; and before the men could run from one end of the ship to the other, 'twas about again. But this did not last long ere the wind settled to the north-east again, to our great satisfaction. Our consort fell astern of us in the storm, but made sail and came up with us again after it was over. We hailed one another on the morrow, congratulating upon the continuance of the fair wind, and both ran on very lovingly together.

Tuesday, Sept. 27.

The fair wind continues still. I have laid a bowl of punch that we are in Philadelphia next Saturday se'nnight; for we reckon ourselves not above one hundred and fifty leagues from land. The Snow keeps us company still.

Wednesday, Sept. 28.

We had very variable winds and weather last night, accompanied with abundance of rain; and now the wind is come about westerly again, but we must bear it with patience. This afternoon we took up several branches of gulf weed (with which the sea is spread all over from the Western Isles to the coast of America); but one of these branches had something peculiar in it. In common with the rest, it had a leaf about three quarters of an inch long, indented like a saw, and a small yellow berry filled with nothing but wind; besides which it bore a fruit of the animal kind, very surprising to see. It was a small shell-fish like a heart, the stalk by which it proceeded from the branch being partly of a grisly kind. Upon this one branch of the weed there were near forty of these vegetable animals; the smallest of them near the end contained a substance somewhat like an oyster, but the larger were visibly animated, opening their shells every moment, and thrusting out a set of unformed claws, not unlike those of a crab; but the inner part was still a kind of soft jelly. Observing the weed more narrowly, I spied a very small crab crawling among it, about as big as the head of a ten-penny nail, and of a yellowish color, like the weed itself. This gave me some reason to think that he was a native of the branch; that he had not long since been in the same condition with the rest of those little embryos that appeared in the shells, this being the method of their generation; and that consequently all the rest of this odd kind of fruit might be crabs in due time. To strengthen my conjecture, I have resolved to

keep the weed in salt water, renewing it every day till we come on shore, by this experiment to see whether any more crabs will be produced or not in this manner. I remember that the last calm we had, we took notice of a large crab upon the surface of the sea, swimming from one branch of weed to another, which he seemed to prey upon; and I likewise recollect that at Boston, in New England, I have often seen small crabs with a shell like a snail's upon their backs, crawling about in the salt water; and likewise at Portsmouth in England. It is likely nature has provided this hard shell to secure them till their own proper shell has acquired a sufficient hardness, which once perfected, they quit their old habitation and venture abroad safe in their own strength. The various changes that silk-worms, butterflies and several other insects go through, make such alterations and metamorphoses not improbable. This day the captain of the Snow with one of his passengers came on board us; but the wind beginning to blow, they did not stay dinner, but returned to their own vessel.

Thursday, Sept. 29.

Upon shifting the water in which I had put the weed yesterday, I found another crab, much smaller than the former, who seemed to have newly left his habitation. But the weed begins to wither, and the rest of the embryos are dead. This new-comer fully convinces me, that at least this sort of crabs are generated in this manner. The Snow's captain dined on board us this day. Little or no wind.

Friday, Sept. 30.

I sat up last night to observe an eclipse of the moon, which the calendar calculated for London informed us would happen at five o'clock in the morning, September 30. It began with us about eleven last night, and continued till near two this morning, darkening her body about six digits, or one-half; the middle

of it being about half an hour after twelve, by which we may discover that we are in a meridian of about four hours and half from London, or 67½ degrees of longitude, and consequently have not much above one hundred leagues to run. This is the second eclipse we have had within these fifteen days. We lost our consort in the night, but saw him again this morning near two leagues to windward. This afternoon we spoke with him again. We have had abundance of dolphins about us these three or four days; but we have not taken any more than one, they being shy of the bait. I took in some more gulf-weed to-day with the boat-hook, with shells upon it like that before mentioned, and three living perfect crabs, each less than the nail of my little finger. One of them had something particularly observable, to wit, a thin piece of the white shell which I before noticed as their covering while they remained in the condition of embryos, sticking close to his natural shell upon his back. This sufficiently confirms me in my opinion of the manner of their generation. I have put this remarkable crab with a piece of the gulf-weed, shells, &c. into a glass phial filled with salt water, (for want of spirits of wine) in hopes to preserve the curiosity till I come on shore. The wind is south-west.

Saturday, October 1.

Last night our consort, who goes incomparably better upon a wind than our vessel, got so far to windward and a-head of us, that this morning we could see nothing of him, and 'tis like shall see him no more. These south-wests are hot damp winds, and bring abundance of rain and dirty weather with them.

Sunday, October 2.

Last night we prepared our line with a design to sound this morning at four o'clock; but the wind coming about again to the north-west, we let it alone. I cannot help fancying the

water is changed a little, as is usual when a ship comes within soundings, but 'tis probable I am mistaken; for there is but one besides myself of my opinion, and we are very apt to believe what we wish to be true.

Monday, October 3.

The water is now very visibly changed to the eyes of all except the captain and the mate, and they will by no means allow it; I suppose because they did not see it first. Abundance of dolphins are about us, but they are very shy, and keep at a distance. Wind north-west.

Tuesday, October 4.

Last night we struck a dolphin, and this morning we found a flying-fish dead under the windlass. He is about the bigness of a small mackarel, a sharp head, a small mouth, and a tail forked somewhat like a dolphin, but the lowest branch much larger and longer than the other, and tinged with yellow. His back and sides of a darkish blue, his belly white, and his skin very thick. His wings are of a finny substance, about a span long, reaching, when close to his body, from an inch below his gills to an inch above his tail. When they fly it is straight forward, for (they cannot readily turn) a yard or two above the water, and perhaps fifty yards is the farthest before they dip into the water again, for they cannot support themselves in the air any longer than while their wings continue wet. These flying-fish are the common prey of the dolphin, who is their mortal enemy. When he pursues them they rise and fly, and he keeps close under them till they drop, and then snaps them up immediately. They generally fly in flocks, four or five, or perhaps a dozen together, and a dolphin is seldom caught without one or more in his belly. We put this flying-fish upon the hook, in hopes of catching one, but in a few minutes they got it off without hooking themselves; and they will not meddle with any other bait.

Tuesday Night.

Since eleven o'clock we have struck three fine dolphins, which are a great refreshment to us. This afternoon we have seen abundance of grampuses, which are seldom far from land; but towards evening we had a more evident token, to wit, a little tired bird, something like a lark, came on board us, who certainly is an American, and 'tis likely was ashore this day. It is now calm. We hope for a fair wind next.

Wednesday October 5.

This morning we saw a heron, who had lodged aboard last night. 'Tis a long-legged long-necked bird, having as they say but one gut. They live upon fish, and will swallow a living eel thrice sometimes before it will remain in their body. The wind is west again. The ship's crew was brought to a short allowance of water.

Thursday, October 6.

This morning abundance of grass, rock-weed, &c. passed by us; evident tokens that land is not far off. We hooked a dolphin this morning that made us a good breakfast. A sail passed by us about twelve o'clock, and nobody saw her till she was too far astern to be spoken with. 'Tis very near calm: we saw another sail a-head this afternoon; but night coming on we could not speak with her, though we very much desired it: she stood to the northward, and it is possible might have informed us how far we are from land. Our artists on board are much at a loss. We hoisted our jack to her, but she took no notice of it.

Friday, October 7.

Last night, about nine o'clock sprung up a fine gale at north-east, which run us in our course at the rate of seven miles an hour all night. We were in hopes of seeing land this morning, but cannot. The water, which we thought was changed, is now as blue as the sky; so that unless at that

time we were running over some unknown shoal our eyes strangely deceived us. All the reckonings have been out these several days; though the captain says 'tis his opinion we are yet an hundred leagues from land: for my part I know not what to think of it, we have run all this day at a great rate; and now night is come on we have no soundings. Sure the American continent is not all sunk under water since we left it.

Saturday, October 8.

The fair wind continues still: we ran all night in our course, sounding every four hours, but can find no ground yet, nor is the water changed by all this day's run. This afternoon we saw an *Irish lord*, and a bird which flying looked like a yellow duck. These they say are not seen far from the coast. Other signs of land have we none. Abundance of large porpoises ran by us this afternoon, and we were followed by a shoal of small ones, leaping out of the water, as they approached. Towards evening we spied a sail a-head, and spoke with her just before dark. She was bound from New York for Jamaica, and left Sandy Hook yesterday about noon, from which they reckon themselves forty-five leagues distant. By this we compute that we are not above thirty leagues from our capes, and hope to see land to-morrow.

Sunday, October 9.

We have had the wind fair all the morning: at twelve o'clock we sounded, perceiving the water visibly changed, and struck ground at twenty-five fathoms, to our universal joy. After dinner one of our mess went up aloft to look out, and presently pronounced the long wished-for sound, LAND! LAND! In less than an hour we could descry it from the deck, appearing like tufts of trees. I could not discern it so soon as the rest; my eyes were dimmed with the suffusion of two small drops of joy. By three o'clock

we were run in within two leagues of the land, and spied a small sail standing along shore. We would gladly have spoken with her, for our captain was unacquainted with the coast, and knew not what land it was that we saw. We made all the sail we could to speak with her. We made a signal of distress; but all would not do, the ill-natured dog would not come near us. Then we stood off again till morning, not caring to venture too near.

Monday, October 10.

This morning we stood in again for land; and we, that had been here before all, agreed that it was Cape Henlopen: about noon we were come very near, and to our great joy saw the pilot-boat come off to us, which was exceeding welcome. He brought on board about a peck of apples with him: they seemed the most delicious I ever tasted in my life: the salt provisions we had been used to, gave them a relish. We had extraordinary fair wind all the afternoon, and ran above an hundred miles up the Delaware before ten at night. The country appears very pleasant to the eye, being covered with woods, except here and there a house and plantation. We cast anchor when the tide turned, about two miles below Newcastle, and there lay till the morning tide.

Tuesday, October 11.

This morning we weighed anchor with a gentle breeze, and passed by Newcastle, whence they hailed us and bade us welcome. 'Tis extreme fine weather. The sun enlivens our stiff limbs with his glorious rays of warmth and brightness. The sky looks gay, with here and there a silver cloud. The fresh breezes from the woods refresh us; the immediate prospect of liberty after so long and irksome confinement ravishes us. In short all things conspire to make this the most joyful day I ever knew. As we passed by Chester some of the company went on shore, impatient once more to tread

on *terra firma*, and designing for Philadelphia by land. Four of us remained on board, not caring for the fatigue of travel when we knew the voyage had much weakened us. About eight at night, the wind failing us, we cast anchor at Red-bank, six miles from Philadelphia, and thought we must be obliged to lie on board that night: but some young Philadelphians happening to be out upon their pleasure in a boat, they came on board, and offered to take us up with them: we accepted of their kind proposal, and about ten o'clock landed at Philadelphia, heartily congratulating each other upon our having happily completed so tedious and dangerous a voyage. Thank God!

APPENDIX.

No. II.

Rules for a Club established in Philadelphia.

[Referred to in MEMOIRS, PART I. Page 91.]

Previous question, to be answered at every meeting.

HAVE you read over these queries this morning, in order to consider what you might have to offer the Junto touching any one of them? viz.

'1. Have you met with any thing in the author you last read, remarkable, or suitable to be communicated to the Junto? particularly in history, morality, poetry, physic, travels, mechanic arts, or other parts of knowledge.

'2. What new story have you lately heard, agreeable to relate in conversation?

'3. Hath any citizen in your knowledge failed in his business lately, and what have you heard of the cause?

'4. Have you lately heard of any citizen's thriving well, and by what means?

'5. Have you lately heard how any present rich man, here or elsewhere, got his estate?

'6. Do you know of any fellow-citizen, who has lately done a worthy action, deserving praise and imitation? or who has committed an error proper for us to be warned against and avoid?

'7. What unhappy effects of intemperance have you lately observed or heard? of imprudence? of passion? or of any other vice or folly?

'8. What happy effects of temperance, of prudence, of moderation, or of any other virtue?

'9. Have you, or any of your acquaintance, been lately sick or wounded? if so, what remedies were used, and what were their effects?

'10. Who do you know that are shortly going voyages or journies, if one should have occasion to send by them?

'11. Do you think of any thing at present, in which the Junto may be serviceable to *mankind*? to their country, to their friends, or to themselves?

'12. Hath any deserving stranger arrived in town since our last meeting that you heard of? and what have you heard or observed of his character or merits: and whether you think it lies in the power of the Junto to oblige him, or encourage him as he deserves?

'13. Do you know of any deserving young beginner lately set up, whom it lies in the power of the Junto any way to encourage?

'14. Have you lately observed any defect in the laws of your *country*, of which it would be proper to move the legislature for an amendment? or do you know of any beneficial law that is wanting?

'15. Have you lately observed any encroachment on the just liberties of the people?

'16. Hath any body attacked your reputation lately? and what can the Junto do towards securing it?

'17. Is there any man whose friendship you want, and which the Junto or any of them can procure for you?

'18. Have you lately heard any member's character attacked, and how have you defended it?

'19. Hath any man injured you, from whom it is in the power of the Junto to procure you redress?

'20. In what manner can the Junto, or any of them, assist you in any of your honorable designs?

'21. Have you any weighty affair in hand, in which you think the advice of the Junto may be of service?

'22. What benefits have you lately received from any man not present?

'23. Is there any difficulty in matters of opinion, of justice, and injustice, which you would gladly have discussed at this time?

'24. Do you see any thing amiss in the present customs or proceedings of the Junto, which might be amended?

Any person to be qualified, (as a Member of the JUNTO*) to stand up, and lay his hand on his breast, and be asked these questions; viz.*

'1. Have you any particular disrespect to any present members?—*Answer.* I have not.

'2. Do you sincerely declare that you love mankind in general; of what profession or religion soever?—*Answer.* I do.

'3. Do you think any person ought to be harmed in his body, name, or goods, for mere speculative opinions, or his external way of worship?—*Answer.* No.

'4. Do you love truth for truth's sake, and will you endeavor impartially to find and receive it yourself and communicate it to others?—*Answer.* Yes.

Questions discussed by the JUNTO *forming the preceding Club.*

Is *sound* an entity or body?

How may the phenomena of vapors be explained?

Is self-interest the rudder that steers mankind, the universal monarch to whom all are tributaries?

Which is the best form of government, and what was that form which first prevailed among mankind?

Can any one particular form of government suit all mankind?

What is the reason that the tides rise higher in the bay of Fundy than the bay of Delaware?

Is the emission of paper money safe?

What is the reason that men of the greatest knowledge are not the most happy?

How may the possession of the lakes be improved to our advantage?

Why are tumultuous uneasy sensations united with our desires?

Whether it ought to be the aim of philosophy to eradicate the passions?

How may smoky chimneys be best cured?

Why does the flame of a candle tend upwards in a spire?

Which is least criminal, a *bad* action joined with a *good* intention, or a *good* action with a *bad* intention?

Is it consistent with the principles of liberty in a free government to punish a man as a libeller, when he speaks the truth?

APPENDIX.

No. III.

[Referred to in MEMOIRS, PART III. p. 319.]

Remarks on a late Protest against the appointment of Mr. Franklin, an Agent for the Province of Pennsylvania.

I HAVE generally passed over, with a silent disregard, the nameless abusive pieces that have been written against me; and though the paper, called a PROTEST, is signed by some respectable names, I was, nevertheless, inclined to treat it with the same indifference; but as the assembly is therein reflected on upon my account, it is thought more my duty to make some remarks upon it.

I would first observe, then, that this mode of *protesting* by the minority, with a string of reasons against the proceedings of the majority of the house of assembly, is quite new among us; the present is the second we have had of the kind, and both within a few months. It is unknown to the practice of the house of commons, or of any house of representatives in *America*, that I have heard of; and seems an affected imitation of the lords in parliament, which can by no means become assembly-men of *America*. Hence appears the absurdity of the complaint, that the house refused the protest an entry on their minutes. The protesters know that they are not, by any custom or usage, entitled to such an entry, and that the practice here is not only useless in itself,

but would be highly inconvenient to the house, since it would probably be thought necessary for the majority also to enter their reasons, to justify themselves to their constituents, whereby the minutes would be encumbered, and the public business obstructed. More especially would it be found inconvenient, if such motives are made use of as a new form of libelling, as the vehicles of personal malice, and as means of giving to private abuse the appearance of a sanction, as public acts. Your protest, gentlemen, was therefore properly refused; and since it is no part of the proceedings of assembly, one may with the more freedom examine it.

Your first reason against my appointment is, that you "believe me to be the chief author of the measures pursued by the last assembly, which have occasioned *such uneasiness* and distraction among the good people of this province." I shall not dispute my share in those measures; I hope they are such as will in time do honor to all that were concerned in them. But you seem mistaken in the order of time: it was the uneasiness and distraction among the good people of the province that occasioned the measures: the province was in confusion before they were taken, and they were pursued in order to prevent such uneasiness and distraction for the future. Make one step farther back, and you will find *proprietary* injustice supported by proprietary minions and creatures, the original cause of all our uneasiness and distractions.

Another of your reasons is, "that I am, as you are informed, very *unfavorably* thought of by several of his *majesty's ministers*." I apprehend, gentlemen, that your informer is mistaken. He indeed has taken great pains to give unfavorable impressions of me, and perhaps may flatter himself, that it is impossible so much true industry should be totally without effect. His long success in maiming or mur-

dering all the reputations that stand in his way, which has been the dear delight and constant employment of his life, may likewise have given him some just ground for confidence that he has, as they call it, *done for me* amongst the rest. But, as I said before, I believe he is mistaken. For what have I done that they should think unfavorably of me? It cannot be my constantly and uniformly promoting the measures of the crown, ever since I had any influence in the province. It cannot, surely, be my promoting the change from a proprietary to a royal government. If indeed I had, by speeches and writings endeavored to make his majesty's government universally odious in the province;—if I had harangued by the week to all comers and goers, on the pretended injustice and oppressions of royal government, and the slavery of the people under it;—if I had written traitorous papers to this purpose, and got them translated into other languages, to give his majesty's foreign subjects here those horrible ideas of it:—if I had declared, written and printed, that "the king's little finger we should find heavier than the proprietor's whole loins, with regard to our liberties; *then indeed* might the ministers be supposed to think unfavorably of me. But these are not exploits for a man who holds a profitable office under the crown, and can expect to hold it no longer than he behaves with the fidelity and duty that becomes every good subject. They are only for officers of proprietary appointment, who hold their commissions during his, and not the king's pleasure; and who, by dividing among themselves and their relations offices of many thousands a-year, enjoyed by proprietary favor, *feel* where to place their loyalty. I wish they were as good subjects to his majesty;—and perhaps they may be so, when the proprietary interferes no longer.

Another of your reasons is, "that the proposal of me for

an agent is extremely disagreeable to a very great number of the most serious and reputable inhabitants of the province; and the proof is, my having been rejected at the last election, though I had represented the city in assembly for 14 years."

And do those of you, gentlemen, reproach me with this, who, among four thousand voters, had scarcely a score more than I had? It seems, then, that your *elections* were very near being *rejections*, and thereby furnishing the same proof in your case that you produce in mine, of your being likewise extremely disagreeable to a very great number of the most serious and reputable people. Do you, honorable sir, reproach me with this, who for almost twice 14 years have been rejected (if *not being chosen* is *to be rejected*) by the same people, and unable, with all your wealth and connections, and the influence they give you, to obtain an election in the county where you reside, and the city where you were born, and are best known, have been obliged to accept a seat from one of the out counties, the remotest of the province!—It is known, sir, to the persons who proposed me, that I was first chosen against my inclination, and against my entreaties that I might be suffered to remain a private man. In none of the 14 elections you mention did I ever appear as a candidate. I never did, directly or indirectly, solicit any man's vote. For six of the years in which I was annually chosen, I was absent, residing in England; during all which time your secret and open attacks upon my character and reputation were incessant; and yet you gained no ground. And can you really, gentlemen, find matter of triumph in this *rejection* as you call it? A moment's reflection on the means by which it was obtained must make you ashamed of it.

Not only my duty to the crown, in carrying the post-

Office Act more duly into execution, was made use of to exasperate the ignorant, as if I was increasing my own profits, by picking their pockets; but my very zeal in opposing the murderers, and supporting the authority of government, and even my humanity, with regard to the innocent *Indians* under our protection, were mustered among my offences, to stir up against me those religious bigots, who are of all savages the most brutish. Add to this, numberless falsehoods propagated as truths, and the many perjuries procured among the wretched rabble brought to swear themselves entitled to a vote;—and yet so *poor a superiority* obtained at all this expense of honor and conscience! Can this, gentlemen, be matter of triumph? Enjoy it, then. Your exultation, however, was short.—Your artifices did not prevail everywhere; nor your double tickets, and whole boxes of forged votes. A great majority of the new chosen assembly were of the old members, and remain uncorrupted. They still stand firm for the people, and will obtain justice from the proprietaries. But what does that avail to you who are in the proprietary interest? And what comfort can it afford you, when by the assembly's choice of an agent, it appears that the same, to you obnoxious, man, (notwithstanding all your venomous invectives against him) still retains so great a share of the public confidence?

But "this step, you say, gives you the more lively affliction, as it is taken at the *very moment* when you were informed by a member of the house, that the governor had assured him of his having received instructions from the proprietaries, to give his assent to the taxation of their estates, in the *same manner* that the estates of other persons are to be taxed; and also *to confirm*, for the public use, the several squares formerly *claimed* by the city." O the force of friendship! the power of interest! What politeness they infuse into a writer, and what *delicate* expressions they produce! The dispute between the pro-

prietaries and us was about the *quantum*, the *rate* of their taxation, and not about the *manner;* but now, when all the world condemns them for acquiring a partial exemption of their estates, and they are forced to submit to an honest equality, it is called "*assenting* to be taxed in the *same manner* with the people:"—Their *restitution* of five public squares in the plan of the city, which they had near forty years unjustly and dishonorably siezed and detained from us, directing their surveyor to map streets over them (in order to turn them into lots) and their officers to sell a part of them; this their *disgorging* is softly called *confirming* them for the public use; and instead of the plain words *formerly given* to the city, by the first proprietary their father, we have the cautious pretty expression of "formerly *claimed* by the city."—Yes, not only *formerly* but *always* claimed, ever since they were *promised* and *given*, to encourage the settlers, and ever will be *claimed* till we are put in actual possession of them. 'Tis pleasant, however, to see how lightly and tenderly you trip over these matters, as if you trod upon eggs.—But that "VERY MOMENT," that precious moment! why was it so long delayed? Why were those healing instructions so long withheld and concealed from the people? They were, it seems, brought over by Mr. *Allen*.[1] Intelligence was received by various

[1] *Extract from a letter, dated* London, August 6, 1764, *from* David Barclay *and Sons, to Messieurs* James *and* Drinker.

"We very much wish for *William Allen's* happy arrival on your side, when we hope his influence, added to the *power* and *commissions* the proprietaries have invested him with, may prove effectual, in restoring harmony and tranquillity among you, so much to be desired by every well-wisher to your province. Pray, be assured of our sincerest and best wishes for the success of this salutary work, and that nothing in our power, to contribute thereto, will ever be wanting."

hands from *London*, that orders were sent by the proprietaries, from which great hopes were entertained of an accommodation. Why was the bringing and the delivery of such orders so long *denied?* The reason is easily understood. Messieurs *Barclays*, friends to both proprietaries and people, wished for that gentleman's happy arrival, hoping his *influence*, added to the *power* and *commissions* the proprietaries had vested him with, might prove effectual in restoring harmony and tranquillity among us;—but he, it seems, hoped his *influence* might do the business, without those additions.—There appeared on his arrival some prospect, from sundry circumstances, of a change to be made in the house by the approaching election. The proprietary friends and creatures knew the heart of their master, and how extremely disagreeable to him that *equal taxation*, that *restitution*, and the other *concessions* to be made for the sake of a reconciliation, must necessarily be. They hoped therefore to spare him all those mortifications, and thereby secure a greater portion of his favor. Hence the instructions were not produced to the last assembly, though they arrived before the *September* sitting, when the governor was in town, and actually did business with the house. Nor to the new assembly were they mentioned, till the "*very moment*," the fatal moment! when the house were on the point of choosing that wicked adversary of the proprietary to be an agent for the province in *England.*

But I have, you say, a "fixed enmity to the proprietaries," and you "believe it will preclude all accommodation of our disputes with them, even on just and reasonable terms."—And why do you think I have a fixed enmity to the proprietaries?—I have never had any personal difference with them. I am no land jobber, and therefore have never had any thing to do with their land-office or officers;—if I had, probably, like others, I might have been obliged to truckle to their measures,

or have had like causes of complaint.—But our private interests never clashed, and all their resentment against me, and mine to them, has been on the public account. Let them do justice to the people of *Pennsylvania*, act honorably to the citizens of *Philadelphia*, and become honest men; my enmity, if that's of any consequence, ceases from the "*very moment*;" and, as soon as I possibly can, I promise to love, honor, and respect them.—In the mean time, why do you "believe it will preclude all accommodation with them on just and reasonable terms?" Do you not boast that their gracious condescensions are in the hands of the governor, and that "if this had been the usual time for business, his honor would have sent them down in a message to the house." How then can my going to *England* prevent this accommodation? The governor can call the house when he pleases, and one would think that, at least in your opinion, my being out of the way would be a favorable circumstance. For then, by "cultivating the disposition shown by the proprietaries, every *reasonable demand* that can be made on the part of the people might be obtained: in vigorously insisting on which, you promise to unite most earnestly with the rest of the house."—It seems then we have "*reasonable demands*" to make, and as you call them a little higher, *equitable demands*. This is much for proprietary minions to own;—but you are all growing better, in imitation of your master, which is indeed very commendable. And if the accommodation here should fail, I hope that though you dislike the person a majority of two to one in the house have thought fit to appoint an agent, you will nevertheless, in duty to your country, continue the noble resolution of uniting with the rest of the house, in vigorously insisting on that *equity* and *justice* which such an union will undoubtedly obtain for us.

I pass over the trivial charge against the assembly, that

they "acted with *unnecessary haste* in proceeding to this appointment, without making a small adjournment," &c. and your affected apprehensions of danger from that haste. The necessity of expedition on this occasion is as obvious to every one out of doors as it was to those within; and the fears you mention are not, I fancy, considerable enough to break your rest.—I come then to your high charge against me, "That I heretofore ventured, *contrary* to an act of assembly, to place the public money in the stocks, whereby this province suffered a loss of £6000, and that sum added to the £5000, granted for my expenses, makes the whole cost of my former voyage to *England* amount to ELEVEN THOUSAND POUNDS!" —How wisely was that form in our laws contrived, which, when a man is arraigned for his life, requires the evidence to speak *the truth*, the *whole truth*, and *nothing but the truth!* The reason is manifest. A falsehood may destroy the innocent; so may *part of a truth* without *the whole;* and a mixture of truth and falsehood may be full as pernicious. You, Mr. Chief Justice, and the other justices among the protesters, and you, sir, who are a counsellor at law, must all of you be well acquainted with this excellent form; and when you arraigned my reputation (dearer to me than life) before the assembly, and now at the respectable tribunal of the public, would it not have well become your honors to have had some small regard at least to the spirit of that form? You might have mentioned, that the direction of the act to lodge the money in the bank, subject to the drafts of the trustees of the loan-office here, was impracticable; that the bank refused to receive it on those terms, it being contrary to their settled rules to take charge of money subject to the orders of unknown people living in distant countries.—You might have mentioned, that the house being informed of this, and having no immediate call for the money, did *themselves* adopt the measure of

placing it in the stocks, which then were low; where it might on a peace produce a considerable profit, and in the mean time accumulate an interest: that they even passed a bill, directing the subsequent sums granted by parliament, to be placed with the former: that the measure was prudent and safe; and that the loss arose, not from *placing* the money IN the stocks, but from the imprudent and unnecessary DRAWING IT OUT at the very time when they were lowest, on some slight uncertain rumors of peace concluded: that if the assembly had let it remain another year, instead of losing they would have gained *six thousand pounds;* and that after all, since the exchange at which they sold their bills was near *twenty per cent.* higher when they drew than when the stocks were purchased, the loss was far from being so great as you represent it. All these things you might have said, for they are, and you know them to be, part of the *whole truth;* but they would have spoiled your accusation. The late speaker of your honorable house, Mr. *Norris,* who has, I suppose, all my letters to him, and copies of his own to me, relating to that transaction, can testify with how much integrity and clearness I managed the whole affair.—All the house were sensible of it, being from time to time fully acquainted with the facts. If I had gone to gaming in the stocks with the public money, and through my fault a sum was lost, as your protest would insinuate, why was I not censured and punished for it when I returned? You, honorable sir, (my enemy of seven years' standing) was then in the house. You were appointed on the committee for examining my accounts; you reported that you found them just, and signed that report.[1] I never solicited the employ of agent: I made

[1] *Report of the Committee on* Benjamin Franklin's *Accounts.*

"In obedience to the order of the House, we have examined the account of *Benjamin Franklin,* Esq. with the vouchers to us produced in

no bargain for my future service, when I was ordered to *England* by the assembly; nor did they vote me any salary. I

support thereof, and do find the same account to be just, and that he has expended in the immediate service of this province the sum of *seven hundred and fourteen pounds, ten shillings and seven pence*, out of the sum of *fifteen hundred pounds* sterling, to him remitted and paid, exclusive of any allowance or charge for his support and services for the province.

JOHN MORTON, JOHN HUGHES,
WILLIAM ALLEN, SAMUEL RHOADS,
February 19, 1763. JOHN ROSS, JOHN WILKINSON,
JOHN MOOR, ISAAC PEARSON.
JOSEPH FOX,

"The house taking the foregoing report of the committee of accounts into consideration, and having some time debated thereon,

"*Resolved*,

"That the sum of *five hundred pounds* sterling *per annum* be allowed and given to *Benjamin Franklin*, Esq. late agent for the province of *Pennsylvania* at the court of *Great Britain*, during his absence of six years from his business and connexions, in the service of the public; and that the thanks of this house be also given to the said gentleman by Mr. Speaker, from the chair, as well for the faithful discharge of his duty to this province in particular, as for the many and important services done to *America* in general, during his residence in *Great Britain*.

"*Thursday, March* 31, 1763.

"Pursuant to a resolve of the nineteenth of last month, that the thanks of this house be given to *Benjamin Franklin*, Esquire, for his many services not only to the province of *Pennsylvania*, but to *America* in general, during his late agency at the court of *Great Britain*, the same were this day accordingly given in form from the chair.—To which Mr. *Franklin*, respectfully addressing himself to the speaker, made answer, That he was thankful to the house for the very handsome and generous allowance they had been pleased to make him for his services; but that the approbation of this house was, in his estimation, far above every other kind of recompense."

Votes, 1763.

lived there near six years at my own expense, and I made no charge or demand when I came home. You, sir, of all others, was the very member that proposed for the honor and justice of the house) a compensation to be made me of the *five thousand pounds* you mention. Was it with an intent to reproach me thus publicly for accepting it? I thank the house for it, then, and I thank you now for proposing it: though you, who have lived in *England*, can easily conceive, that besides the prejudice to my private affairs by my absence, a *thousand pounds* more would not have reimbursed me. The money voted was immediately paid me. But, if I had occasioned the loss of *six thousand pounds* to the province, here was a fair opportunity of securing easily the greatest part of it; why was not the *five thousand pounds* deducted, and the remainder called for?—The reason is, this accusation was not then invented.—Permit me to add, that supposing the whole *eleven thousand pounds* an expense occasioned by my voyage to *England*, yet the taxation of the proprietary estate now established, will, when valued by years' purchase, be found in time an advantage to the public far exceeding that expense. And if the expense is at present a burthen, the odium of it ought to lie on those who, by their injustice, made the voyage necessary, and not on me, who only submitted to the orders of the house, in undertaking it.

I am now to take leave (perhaps a last leave) of the country I love, and in which I have spent the greatest part of my life. —ESTO PERPETUA!—I wish every kind of prosperity to my friends,—and I forgive my enemies.

Philadelphia, Nov. 5, 1764. B. FRANKLIN.

APPENDIX.

No. IV.

The Examination of Dr. Benjamin Franklin, *before the English House of Commons, in February,* 1766, *relative to the Repeal of the American Stamp Act.*

[Referred to in MEMOIRS, PART III. p. 326.]

Q. WHAT is your name, and place of abode?

A. Franklin, of *Philadelphia.*

Q. Do the *Americans* pay any considerable taxes among themselves?

A. Certainly many, and very heavy taxes.

Q. What are the present taxes in *Pennsylvania,* laid by the laws of the colony?

A. There are taxes on all estates, real and personal; a poll tax; a tax on all offices, professions, trades, and businesses, according to their profits; an excise on all wine, rum, and other spirits; and a duty of ten pounds per head on all negroes imported; with some other duties.

Q. For what purposes are those taxes laid?

A. For the support of the civil and military establishments of the country, and to discharge the heavy debt contracted in the last war.

Q. How long are those taxes to continue?

A. Those for discharging the debt are to continue till 1772; and longer, if the debt should not be then all discharged. The others must always continue.

Q. Was it not expected that the debt would have been sooner discharged?

A. It was, when the peace was made with *France* and *Spain*. But a fresh war breaking out with the *Indians*, a fresh load of debt was incurred; and the taxes, of course, continued longer by a new law.

Q. Are not all the people very able to pay those taxes?

A. No. The frontier counties, all along the continent, having been frequently ravaged by the enemy, and greatly impoverished, are able to pay very little tax. And therefore, in consideration of their distresses, our late tax-laws do expressly favor those counties, excusing the sufferers; and I suppose the same is done in other governments.

Q. Are not you concerned in the management of the *post-office* in *America?*

A. Yes. I am Deputy Post-Master General of *North America.*

Q. Don't you think the distribution of stamps, *by post*, to all the inhabitants, very practicable, if there was no opposition?

A. The posts only go along the sea-coasts; they do not, except in a few instances, go back into the country; and if they did, sending for stamps by post would occasion an expense of postage, amounting, in many cases, to much more than that of the stamps themselves.

Q. Are you acquainted with *Newfoundland?*

A. I never was there.

Q. Do you know whether there are any post-roads on that island?

A. I have heard there are no roads at all; but that the

communication between one settlement and another is by sea only.

Q. Can you disperse the stamps by post in Canada?

A. There is only a post between *Montreal* and *Quebec*. The inhabitants live so scattered and remote from each other, in that vast country, that posts cannot be supported among them, and therefore they cannot get stamps per post. The *English colonies* too, along the frontiers, are very thinly settled.

Q. From the thinness of the back settlements, would not the stamp act be extremely inconvenient to the inhabitants if executed?

A. To be sure it would; as many of the inhabitants could not get stamps when they had occasion for them, without taking long journeys, and spending perhaps three or four pounds, that the crown might get sixpence.

Q. Are not the colonies, from their circumstances, very able to pay the stamp duty?

A. In my opinion, there is not gold and silver enough in the colonies to pay the stamp duty for one year.[1]

[1] The Stamp Act says, 'that the *Americans* shall have no commerce, make no exchange of property with each other; neither purchase, nor grant, nor recover debts: they shall neither marry nor make their wills, unless they pay such and such sums in *specie* for the stamps, which must give validity to the proceedings. The operation of such a tax, had it obtained the consent of the people, appeared inevitable; and its annual productiveness was estimated by its proposer in the House of Commons, at the committee for supplies, at 100,000*l. sterling*. The colonies being already reduced to the necessity of having *paper*-money, by sending to *Britain* the specie they collected in foreign trade, in order to make up for the deficiency of their other returns for *Britain's* manufactures, there were doubts where could remain the *specie* sufficient to answer the tax.

Q. Don't you know that the money arising from the stamps was all to be laid out in *America?*

A. I know it is appropriated by the act to the American service; but it will be spent in the conquered colonies, where the soldiers are, not in the colonies that pay it.

Q. Is there not a balance of trade due from the colonies where the troops are posted, that will bring back the money to the old colonies?

A. I think not. I believe very little would come back. I know of no trade likely to bring it back. I think it would come from the colonies where it was spent, directly to England; for I have always observed, that in every colony the more plenty the means of remittance to *England,* the more goods are sent for, and the more trade with *England* carried on.

Q. What number of white inhabitants do you think there are in Pennsylvania?

A. I suppose there may be about one hundred and sixty thousand.

Q. What number of them are Quakers?

A. Perhaps a third.

Q. What number of Germans?

A. Perhaps another third; but I cannot speak with certainty.

Q. Have any number of the *Germans* seen service, as soldiers, in *Europe?*

A. Yes, many of them, both in *Europe* and *America.*

Q. Are they as much dissatisfied with the stamp duty as the *English?*

A. Yes, and more; and with reason, as their stamps are, in many cases, to be double.[x]

[x] The Stamp Act provides, 'that a *double* duty should be laid where the instrument, proceedings, &c. shall be engrossed, written, or

Q. How many white men do you suppose there are in *North America?*

A. About three hundred thousand, from sixteen to sixty years of age.[a]

Q. What may be the amount of one year's imports into Pennsylvania from *Britain?*

A. I have been informed that our merchants compute the imports from *Britain* to be above 500,000*l.*

Q. What may be the amount of the produce of your province exported to *Britain?*

A. It must be small, as we produce little that is wanted in *Britain.* I suppose it cannot exceed 40,000*l.*

Q. How then do you pay the balance?

A. The balance is paid by our produce carried to the West Indies (and sold in our own islands, or to the French, Spaniards, Danes, and Dutch); by the same being carried to other colonies in North America, (as New England, Nova Scotia, Newfoundland, Carolina, and Georgia;) and

printed, within the said colonies and plantations, in any other than the *English* language.' This measure appeared to be suggested by motives of convenience, and the policy of assimilating persons of foreign to those of *British* descent, and preventing their interference in the conduct of law business till this change should be effected. It seems, however, to have been deemed too precipitate, immediately to extend this clause to newly-conquered countries. An exemption, therefore, was granted, in this particular, with respect to *Canada* and *Grenada*, for the space of five years, to be reckoned from the commencement of the duty. See the Stamp Act.

[a] Strangers excluded, some parts of the northern colonies double their numbers in fifteen or sixteen years; to the southward they are longer; but, taking one with another, they have doubled, by natural generation only, once in twenty-five years. Pennsylvania, it is said, *including strangers*, has doubled in about sixteen years.

by the same, carried to different parts of Europe, (as Spain, Portugal and Italy.) In all which places we receive either money, bills of exchange, or commodities that suit for remittance to Britain; which, together with all the profits on the industry of our merchants and mariners, arising in those circuitous voyages, and the freights made by their ships, centre finally in Britain to discharge the balance, and pay for British manufactures continually used in the province, or sold to foreigners by our traders.

Q. Have you heard of any difficulties lately laid on the *Spanish* trade?

A. Yes, I have heard that it has been greatly obstructed by some new regulations, and by the English men of war and cutters stationed all along the coast in America.

Q. Do you think it right that America should be protected by this country, and pay no part of the expense?

A. That is not the case. The colonies raised, clothed, and paid, during the last war, near twenty-five thousand men, and spent many millions.

Q. Were you not reimbursed by parliament?

A. We were only reimbursed what, in your opinion, we had advanced beyond our proportion, or beyond what might reasonably be expected from us; and it was a very small part of what we spent. *Pennsylvania*, in particular, disbursed about 500,000*l.*; and the reimbursements, in the whole, did not exceed 60,000*l.*

Q. You have said that you pay *heavy taxes in Pennsylvania*; what do they amount to in the pound?

A. The tax on all estates, real and personal, is eighteen pence in the pound, fully rated; and the tax on the profits of trades and professions, with other taxes, do, I suppose, make full half-a-crown in the pound.

Q. Do you know any thing of the *rate of exchange in Pennsylvania*, and whether it has fallen lately?

A. It is commonly from one hundred and seventy to one hundred and seventy-five. I have heard that it has fallen lately from one hundred and seventy-five to one hundred sixty-two and a half; owing, I suppose, to their lessening their orders for goods; and, when their debts to this country are paid, I think the exchange will probably be at par.

Q. Do not you think the people of America would submit to pay the stamp duty if it was moderated?

A. No, never, unless compelled by force of arms.

Q. Are not the taxes in Pennsylvania laid on unequally, in order to burthen the English trade; particularly the tax on professions and business?

A. It is not more burthensome in proportion than the tax on lands: it is intended, and supposed, to take an equal proportion of profits.

Q. How is the assembly composed? Of what kinds of people are the members; landholders or traders?

A. It is composed of landholders, merchants, and artificers.

Q. Are not the majority landholders?

A. I believe they are.

Q. Do not they, as much as possible, shift the tax off from the land, to ease that, and lay the burthen heavier on trade?

A. I have never understood it so: I never heard such a thing suggested: and indeed an attempt of that kind could answer no purpose. The merchant or trader is always skilled in figures, and ready with his pen and ink. If unequal burthens are laid on his trade, he puts an additional price on his goods; and the consumers, who are chiefly landholders, finally pay the greatest part, if not the whole.

Q. What was the temper of America towards Great Britain *before the year* 1763.[1]

A. The best in the world. They submitted willingly to the government of the crown, and paid, in all their courts, obedience to acts of parliament. Numerous as the people are in the several old provinces, they cost you nothing in forts, citadels, garrisons, or armies, to keep them in subjec-

[1] In the year 1733, 'for the welfare and prosperity of the British *sugar* colonies in America,' and 'for remedying discouragements of planters,' duties were '*given and granted*' to George the Second, upon all rum, spirits, molasses, syrups, sugar, and panels, of *foreign* growth, produce, and manufacture, imported into our colonies. This *regulation of trade*, for the benefit of the general empire, was acquiesced in, notwithstanding the introduction of the novel terms 'give and grant.' But the act, which was made only for the term of five years, and had been *several times* renewed in the reign of George the Second, and once in the reign of George the Third, was renewed *again* in the year 1763, in the reign of George the Third, and *extended to other articles, upon new and altered grounds.* It was stated in the preamble to *this* act, 'that it was expedient that new provisions and regulations should be established for *improving the revenue of this kingdom*;' 'that it was just and necessary that a revenue should be raised in America for defending, protecting, and securing the same;' 'and that the Commons of Great Britain, ... desirous of making some provision towards *raising the said revenue in* America, have resolved to give and grant to his Majesty the several rates and duties,' &c.—Mr. *Mauduit*, agent for Massachusetts Bay, said that he was instructed, in the following terms, to oppose Mr. Grenville's taxing system:—'You are to remonstrate against these measures, and if possible to obtain a repeal of the *Sugar* Act and prevent the imposition of any further duties or taxes on the colonies. Measures will be taken that you may be joined by all the other agents.—*Boston, June* 14, 1764.'

The question proposed to Dr. Franklin, alludes to this Sugar Act in 1763. Dr. Franklin's answer particularly merits the attention of the historian and the politician.

tion. They were governed by this country at the expense only of a little pen, ink, and paper: they were led by a thread. They had not only a respect, but an affection for Great Britain; for its laws, its customs, and manners; and even a fondness for its fashions, that greatly increased the commerce. Natives of Britain were always treated with particular regard; to be an *Old-England-man* was, of itself, a character of some respect, and gave a kind of rank among us.

Q. And what is their temper now?

A. Oh, very much altered.

Q. Did you ever hear the authority of parliament, to make laws for America, questioned till lately?

A. The authority of parliament was allowed to be valid in all laws, except such as should lay *internal* taxes. It never was disputed in laying duties to regulate commerce.

Q. In what proportion hath population increased in America?

A. I think the inhabitants of all the provinces together, taken at a medium, double in about twenty-five years. But their demand for British manufactures increases much faster; as the consumption is not merely in proportion to their numbers, but grows with the growing abilities of the same numbers to pay for them. In 1723, the whole importation from Britain to Pennsylvania, was but about 15,000*l.* sterling; it is now near half a million.

Q. In what light did the people of America use to consider the parliament of Great Britain?

A. They considered the parliament as the great bulwark and security of their liberties and privileges, and always spoke of it with the utmost respect and veneration. Arbitrary ministers, they thought, might possibly, at times, attempt to oppress them; but they relied on it, that the parliament, on

application, would always give redress. They remembered, with gratitude, a strong instance of this, when a bill was brought into parliament, with a clause, to make royal instruction laws in the colonies, which the House of Commons would not pass, and it was thrown out.

Q. And have they not still the same respect for parliament?

A. No; it is greatly lessened.

Q. To what causes is that owing?

A. To a concurrence of causes; the restraints lately laid on their trade, by which the bringing of foreign gold and silver into the colonies was prevented; the prohibition of making paper-money among themselves,[1] and then demanding a new and heavy tax by stamps; taking away, at the same time, trials by juries, and refusing to receive and hear their humble petitions.

Q. Don't you think they would submit to the stamp-act, if it was modified, the obnoxious parts taken out, and the duty reduced to some particulars of small moment?

A. No; they will never submit to it.

Q. What do you think is the reason that the people in America increase faster than in England?

A. Because they marry younger, and more generally.

Q. Why so?

A. Because any young couple that are industrious, may easily obtain land of their own, on which they can raise a family.[2]

[1] Some of the colonies had been reduced to the necessity of bartering, for the want of a medium of traffic.

[2] See Dr. Franklin's "*Thoughts on Peopling of Countries*," WRITINGS, Part II.

Q. Are not the lower rank of people more at their ease in America than in England?

A. They may be so, if they are sober and diligent; as they are better paid for their labor.

Q. What is your opinion of a future tax, imposed on the same principle with that of the stamp-act; how would the Americans receive it?

A. Just as they do this. They would not pay it.

Q. Have not you heard of the resolutions of this House, and of the House of Lords, asserting the right of parliament relating to America, including a power to tax the people there?

A. Yes, I have heard of such resolutions.

Q. What will be the opinion of the Americans on those resolutions?

A. They will think them unconstitutional and unjust.

Q. Was it an opinion in America before 1763, that the parliament had no right to lay taxes and duties there?

A. I never heard any objection to the right of laying duties to regulate commerce; but a right to lay *internal* taxes was never supposed to be in parliament, as we are not represented there.

Q. On what do you found your opinion, that the people in America made any such distinction?

A. I know that whenever the subject has occurred in conversation where I have been present, it has appeared to be the opinion of every one, that we could not be taxed in a parliament where we were not represented. But the payment of duties laid by act of parliament as regulations of commerce, was never disputed.

Q. But can you name any act of assembly, or public act of any of your governments, that made such distinction?

A. I do not know that there was any; I think there was

never an occasion to make any such act, till now that you have attempted to tax us: *that* has occasioned resolutions of assembly, declaring the distinction; in which I think every assembly on the continent, and every member in every assembly, have been unanimous.

Q. What then could occasion conversations on the subject before that time?

A. There was in 1754 a proposition made (I think it came from hence) that in case of a war, which was then apprehended, the governors of the colonies should meet, and order the levying of troops, building of forts, and taking every other necessary measure for the general defence; and should draw on the treasury here for the sums expended; which were afterwards to be raised in the colonies by a general tax, to be laid on them by *act of parliament*. This occasioned a good deal of conversation on the subject; and the general opinion was, that the parliament neither would nor could lay any tax on us, till we were duly represented in parliament; because it was not just, nor agreeable to the nature of an *English* constitution.

Q. Do not you know there was a time in *New York*, when it was under consideration to make an application to parliament to lay taxes on that colony, upon a deficiency arising from the assembly's refusing or neglecting to raise the necessary supplies for the support of the civil government?

A. I never heard of it.

Q. There was such an application under consideration in New York;—and do you apprehend they could suppose the right of parliament to lay a tax in America was only local, and confined to the case of a deficiency in a particular colony, by a refusal of its assembly to raise the necessary supplies?

A. They could not suppose such a case, as that the assembly would not raise the necessary supplies to support its

own government. An assembly that would refuse it must want common sense; which cannot be supposed.—I think there was never any such case at New York, and that it must be a misrepresentation, or the fact must be misunderstood. I know there have been some attempts, by ministerial instructions to oblige the assemblies to settle permanent salaries on governors, which they wisely refused to do; but I believe no assembly of New York, or any other colony, ever refused duly to support government by proper allowances, from time to time, to public officers.

Q. But in case a governor, acting by instruction, should call on an assembly to raise the necessary supplies, and the assembly should refuse to do it, do you not think it would then be for the good of the people of that colony, as well as necessary to government, that the parliament should tax them?

A. I do not think it would be necessary. If an assembly could possibly be so absurd as to refuse raising the supplies requisite for the maintenance of government among them, they could not long remain in such a situation; the disorders and confusion occasioned by it must soon bring them to reason.

Q. If it should not, ought not the right to be in *Great Britain* of applying a remedy?

A. A right, only to be used in such a case, I should have no objection to; supposing it to be used merely for the good of the *people of the colony.*

Q. But who is to judge of that, Britain or the colony?

A. Those that feel can best judge.

Q. You say the colonies have always submitted to external taxes, and object to the right of parliament only in laying internal taxes; now can you show that there is any kind of

difference between the two taxes to the colony on which they may be laid?

A. I think the difference is very great. An *external* tax is a duty laid on commodities imported; that duty is added to the first cost and other charges on the commodity, and when it is offered to sale, makes a part of the price. If the people do not like it at that price, they refuse it; they are not obliged to pay it. But an *internal* tax is forced from the people without their consent, if not laid by their own representatives. The stamp-act says, we shall have no commerce, make no exchange of property with each other, neither purchase nor grant, nor recover debts; we shall neither marry nor make our wills, unless we pay such and such sums; and thus it is intended to extort our money from us, or ruin us by the consequences of refusing to pay it.

Q. But supposing the internal tax to be laid on the necessaries of life imported into your colony, will not that be the same thing in its effects as an internal tax?

A. I do not know a single article imported into the *northern* colonies, but what they can either do without, or make themselves.

Q. Do not you think cloth from England absolutely necessary to them?

A. No, by no means absolutely necessary; with industry and good management, they may very well supply themselves with all they want.

Q. Will it not take a long time to establish that manufacture among them; and must they not in the mean while suffer greatly?

A. I think not. They have made a surprising progress already: and I am of opinion that before their old clothes are worn out, they will have new ones of their own making.

Q. Can they possibly find wool enough in North America?

A. They have taken steps to increase the wool. They entered into general combinations to eat no lamb; and very few lambs were killed last year. This course persisted in, will soon make a prodigious difference in the quantity of wool. And the establishing of great manufactories, like those in the clothing towns here, is not necessary, as it is where the business is to be carried on for the purposes of trade. The people will all spin, and work for themselves, in their own houses.

Q. Can there be wool and manufacture enough in one or two years?

A. In three years, I think, there may.

Q. Does not the severity of the winter, in the northern colonies, occasion the wool to be of bad quality?

A. No; the wool is very fine and good.

Q. In the more southern colonies, as in Virginia, do not you know the wool is coarse, and only a kind of hair?

A. I do not know it. I never heard it. Yet I have been sometimes in Virginia. I cannot say I ever took particular notice of the wool there; but I believe it is good, though I cannot speak positively of it; but Virginia, and the colonies south of it, have less occasion for wool; their winters are short, and not very severe; and they can very well clothe themselves with linen and cotton of their own raising for the rest of the year.

Q. Are not the people in the more northern colonies obliged to fodder their sheep all the winter?

A. In some of the most northern colonies they may be obliged to do it, some part of the winter.

Q. Considering the resolutions of parliament,[1] *as to the right;* do you think, if the stamp-act is repealed, that the North Americans will be satisfied?

[1] Afterwards expressed in the *declaratory act.*

A. I believe they will.

Q. Why do you think so?

A. I think the resolutions of *right* will give them very little concern, if they are never attempted to be carried into practice. The colonies will probably consider themselves in the same situation, in that respect, with Ireland: they know you claim the same right with regard to Ireland, but you never exercise it. And they may believe you never will exercise it in the colonies, any more than in Ireland, unless on some very extraordinary occasion.

Q. But who are to be the judges of that extraordinary occasion?

A. Though the parliament may judge of the occasion, the people will think it can never exercise such right, till representatives from the colonies are admitted into parliament; and that whenever the occasion arises, representatives *will* be ordered.

Q. Did you never hear that *Maryland*, during the last war, had refused to furnish a quota towards the common defence?

A. Maryland has been much misrepresented in that matter. Maryland, to my knowledge, never refused to contribute, or grant aids to the crown. The assemblies every year, during the war, voted considerable sums, and formed bills to raise them. The bills were, according to the constitution of that province, sent up to the council, or upper house, for concurrence, that they might be presented to the governor, in order to be enacted into laws. Unhappy disputes between the two houses, arising from the defects of that constitution principally, rendered all the bills but one or two abortive. The *proprietary's* council rejected them. It is true, Maryland did not contribute its proportion; but it

was, in my opinion, the fault of the government, not of the people.

Q. Was it not talked of in the other provinces as a proper measure to apply to parliament to compel them?

A. I have heard such discourse; but as it was well known, that the people were not to blame, no such application was ever made, nor any step taken towards it.

Q. Was it not proposed at a public meeting?

A. Not that I know of.

Q. Do you remember the abolishing of the paper currency in New England by act of assembly?

A. I do remember its being abolished in the Massachusetts Bay.

Q. Was not Lieutenant-Governor Hutchinson principally concerned in that transaction?

A. I have heard so.

Q. Was it not at that time a very unpopular law?

A. I believe it might, though I can say little about it, as I lived at a distance from that province.

Q. Was not the *scarcity of gold and silver* an argument used against abolishing the paper?

A. I suppose it was.[1]

Q. What is the present opinion there of that law? Is it as unpopular as it was at first?

A. I think it is not.

Q. Have not instructions from hence been sometimes sent over to governors highly oppressive and unpolitical?

A. Yes.

[1] See Dr. Franklin's answer to the report of the board of trade, of Feb. 9, 1764, intitled, "*Remarks and Facts relative to American Paper Money.*" WRITINGS, Part I. Sec. i.

Q. Have not some governors dispensed with them for that reason?

A. Yes; I have heard so.

Q. Did the Americans ever dispute the controlling power of parliament to regulate their commerce?

A. No.

Q. Can any thing less than a military force carry the stamp act into execution?

A. I do not see how a military force can be applied to that purpose.

Q. Why may it not?

A. Suppose a military force sent into America, they will find nobody in arms; what are they then to do? They cannot force a man to take stamps who chooses to do without them. They will not find a rebellion: they may indeed make one.

Q. If the act is not repealed, what do you think will be the consequences?

A. A total loss of the respect and affection the people of America bear to this country; and of all the commerce that depends on that respect and affection.

Q. How can the commerce be affected?

A. You will find, that if the act is not repealed, they will take very little of your manufactures in a short time.

Q. Is it in their power to do without them?

A. I think they may very well do without them.

Q. Is it their interest not to take them?

A. The goods they take from Britain are either necessaries, mere conveniences, or superfluities. The first, as cloth, &c. with a little industry they can make at home; the second they can do without, till they are able to provide them among themselves; and the last, which are much the greatest part, they will strike off immediately. They are mere articles of

fashion, purchased and consumed, because the fashion in a respected country, but will now be detested and rejected. The people have already struck off, by general agreement, the use of all goods fashionable in mournings; and many thousand pounds worth are sent back as unsaleable.

Q. Is it their interest to make cloth at home?

A. I think they may at present get it cheaper from Britain, I mean of the same fineness and neatness of workmanship; but when one considers other circumstances, the restraints on their trade, and the difficulty of making remittances, it is their interest to make every thing.

Q. Suppose an act of internal regulation connected with a tax, how would they receive it?

A. I think it would be objected to.

Q. Then no regulation with a tax would be submitted to?

A. Their opinion is, that when aids to the crown are wanted, they are to be asked of the several assemblies, according to the old established usage, who will, as they always have done, grant them freely. And that their money ought not to be given away, without their consent, by persons at a distance, unacquainted with their circumstances and abilities. The granting aids to the crown is the only means they have of recommending themselves to their sovereign; and they think it extremely hard and unjust, that a body of men, in which they have no representatives, should make a merit to itself of giving and granting what is not its own, but theirs; and deprive them of a right they esteem of the utmost value and importance, as it is the security of all their other rights.

Q. But is not the post-office, which they have long received, a tax as well as a regulation?

A. No; the money paid for the postage of a letter is not of the nature of a tax; it is merely a *quantum meruit* for

a service done; no person is compellable to pay the money, if he does not choose to receive the service. A man may still, as before the act, send his letter by a servant, a special messenger, or a friend, if he thinks it cheaper and safer.

Q. But do they not consider the regulations of the post-office, by the act of last year, as a tax?

A. By the regulations of last year the rate of postage was generally abated near thirty per cent. through all America; they certainly cannot consider such abatement *as a tax*.

Q. If an excise was laid by parliament, which they might likewise avoid paying, by not consuming the articles excised, would they then not object to it?

A. They would certainly object to it, as an excise is unconnected with any service done, and is merely an aid; which they think ought to be asked of them, and granted by them, if they are to pay it; and can be granted for them by no others whatsoever, whom they have not empowered for that purpose.

Q. You say they do not object to the right of parliament, in laying duties on goods to be paid on their importation; now, is there any kind of difference between a duty on the *importation* of goods, and an excise on their *consumption*?

A. Yes; a very material one: an excise, for the reasons I have just mentioned, they think you can have no right to lay within their country. But *the sea* is yours: you maintain, by your fleets, the safety of navigation on it, and keep it clear of pirates; you may have therefore a natural and equitable right to some *toll* or duty on merchandises carried through that part of your dominions, towards defraying the expense you are at, in ships to maintain the safety of that carriage.

Q. Does this reasoning hold in the case of a duty laid on the produce of their lands *exported*; and would they not then object to such a duty?

A. If it tended to make the produce so much dearer abroad as to lessen the demand for it, to be sure they would object to such a duty; not to your right of laying it; but they would complain of it as a burthen, and petition you to lighten it.

Q. Is not the duty paid on the tobacco exported a duty of that kind?

A. That, I think, is only on tobacco carried coast-wise from one colony to another, and appropriated as a fund for supporting the college at Williamsburgh in Virginia.

Q. Have not the assemblies in the West Indies the same natural rights with those in North America?

A. Undoubtedly.

Q. And is there not a tax laid there on their sugars exported?

A. I am not much acquainted with the West Indies; but the duty of four and a half per cent. on sugars exported was, I believe, granted by their own assemblies.

Q. How much is the poll-tax in your province laid on unmarried men?

A. It is, I think, fifteen shillings, to be paid by every single freeman, upwards of twenty-one years old.

Q. What is the annual amount of *all* the taxes in Pennsylvania?

A. I suppose about 20,000*l.* sterling.

Q. Supposing the stamp-act continued, and enforced, do you imagine that ill-humor will induce the Americans to give as much for worse manufactures of their own, and use them, preferably to better of ours?

A. Yes, I think so. People will pay as freely to gratify one passion as another: their resentment, as their pride.

Q. Would the people at Boston discontinue their trade?

A. The merchants are a very small number compared

with the body of the people, and must discontinue their trade if nobody will buy their goods.

Q. What are the body of the people in the colonies?

A. They are farmers, husbandmen, or planters.

Q. Would they suffer the produce of their lands to rot?

A. No; but they would not raise so much. They would manufacture more, and plough less.

Q. Would they live without the administration of justice in civil matters, and suffer all the inconveniences of such a situation for any considerable time, rather than take the stamps; supposing the stamps were protected by a sufficient force, where every one might have them?

A. I think the supposition impracticable, that the stamps should be so protected as that every one might have them. The act requires sub-distributors to be appointed in every county town, district, and village; and they would be necessary. But the *principal* distributors, who were to have had a considerable profit on the whole, have not thought it worth while to continue in the office; and I think it impossible to find sub-distributors fit to be trusted, who, for the trifling profit that must come to their share, would incur the odium, and run the hazard that would attend it; and if they could be found, I think it impracticable to protect the stamps in so many distant and remote places.

Q. But in places where they could be protected, would not the people use them rather than remain in such a situation, unable to obtain any right, or recover, by law, any debt?

A. It is hard to say what they would do. I can only judge what other people will think, and how they will act, by what I feel within myself. I have a great many debts due to me in America, and I had rather they should remain unrecoverable by any law, than submit to the stamp-act. They will be debts of honor. It is my opinion the people will either con-

tinue in that situation, or find some way to extricate themselves, perhaps by generally agreeing to proceed in the courts without stamps.

Q. What do you think a sufficient military force to protect the distribution of the stamps in every part of America?

A. A very great force. I cannot say what, if the disposition of America is for a general resistance.

Q. What is the number of men in America able to bear arms, or of disciplined militia?

A. There are, I suppose, at least——

[*Question objected to. He withdrew. Called in again.*]

Q. Is the American stamp-act an equal tax on the country?

A. I think not.

Q. Why so?

A. The greater part of the money must arise from law-suits for the recovery of debts; and be paid by the lower sort of people, who were too poor easily to pay their debts. It is therefore a heavy tax on the poor, and a tax upon them for being poor.

Q. But will not this increase of expense be a means of lessening the number of law-suits?

A. I think not; for as the costs all fall upon the debtor, and are to be paid by him, they would be no discouragement to the creditor to bring his action.

Q. Would it not have the effect of excessive usury?

A. Yes, as an oppression of the debtor.

Q. How many ships are there laden annually in North America with *flax-seed* for Ireland?

A. I cannot speak to the number of ships, but I know that in 1752, ten thousand hogsheads of flax-seed, each containing seven bushels, were exported from Philadelphia to Ireland. I suppose the quantity is greatly increased since that time;

and it is understood that the exportation from New York is equal to that from Philadelphia.

Q. What becomes of the flax that grows with that flax-seed?

A. They manufacture some into coarse, and some into a middling kind of linen.

Q. Are there any *slitting-mills* in America?

A. I think there are three, but I believe only one at present employed. I suppose they will all be set to work, if the interruption of the trade continues.

Q. Are there any *fulling-mills* there?

A. A great many.

Q. Did you never hear that a great quantity of *stockings* were contracted for, for the army, during the war, and manufactured in Philadelphia?

A. I have heard so.

Q. If the stamp-act should be repealed, would not the Americans think they could oblige the parliament to repeal every external tax-law now in force?

A. It is hard to answer questions of what people at such a distance will think.

Q. But what do you imagine they will think were the motives of repealing the act?

A. I suppose they will think that it was repealed from a conviction of its inexpediency; and they will rely upon it, that while the same inexpediency subsists, you will never attempt to make such another.

Q. What do you mean by its inexpediency?

A. I mean its inexpediency on several accounts: the poverty and inability of those who were to pay the tax; the general discontent it has occasioned; and the impracticability of enforcing it.

Q. If the act should be repealed, and the legislature should shew its resentment to the opposers of the stamp-act, would

the colonies acquiesce in the authority of the legislature? What is your opinion they would do?

A. I don't doubt at all, that if the legislature repeal the stamp act, the colonies will acquiesce in the authority.

Q. But if the legislature should think fit to ascertain its right to lay taxes, by any act laying a small tax, contrary to their opinion, would they submit to pay the tax?

A. The proceedings of the people in America have been considered too much together. The proceedings of the assemblies have been very different from those of the mobs; and should be distinguished, as having no connexion with each other. The *assemblies* have only peaceably resolved what they take to be their rights: they have taken no measures for opposition by force, they have not built a fort, raised a man, or provided a grain of ammunition, in order to such opposition. The ringleaders of riots they think ought to be punished; they would punish them themselves, if they could. Every sober sensible man would wish to see rioters punished, as otherwise peaceable people have no security of person or estate. But as to an internal tax, how small soever, laid by the legislature here on the people there, while they have no representatives in this legislature, I think it will never be submitted to: they will oppose it to the last.—They do not consider it as at all necessary for you to raise money on them by your taxes; because they are, and always have been, ready to raise money by taxes among themselves, and to grant large sums equal to their abilities; upon requisition from the crown. They have not only granted equal to their abilities, but during all the last war, they granted far beyond their abilities, and beyond their proportion with this country, (you yourselves being judges,) to the amount of many hundred thousand pounds: and this they did freely and readily, only on a sort of promise, from the secretary of state, that it

should be recommended to parliament to make them compensation. It was accordingly recommended to parliament, in the most honorable manner for them.—America has been greatly misrepresented and abused here, in papers, and pamphlets, and speeches, as ungrateful, and unreasonable, and unjust, in having put this nation to immense expense for their defence, and refusing to bear any part of that expense. The colonies raised, paid, and clothed, near twenty-five thousand men during the last war; a number equal to those sent from Britain, and far beyond their proportion; they went deeply into debt in doing this, and all their taxes and estates are mortgaged, for many years to come, for discharging that debt. Government here was at that time very sensible of this. The colonies were recommended to parliament. Every year the king sent down to the house a written message to this purpose: 'That his Majesty, being highly sensible of the zeal and vigor with which his faithful subjects in North America had exerted themselves, in defence of his Majesty's just rights and possessions; recommended it to the house to take the same into consideration, and enable him to give them a proper compensation.' You will find those messages on your own journals every year of the war to the very last; and you did accordingly give £200,000 annually to the crown, to be distributed in such compensation to the colonies. This is the strongest of all proofs that the colonies, far from being unwilling to bear a share of the burthen, did exceed their proportion; for if they had done less, or had only equalled their proportion, there would have been no room or reason for compensation. Indeed the sums reimbursed them were by no means adequate to the expense they incurred beyond their proportion: but they never murmured at that; they esteem their sovereign's approbation of their zeal and fidelity, and the approbation of this house far beyond any other kind of compensation: there-

fore there was no occasion for this act, to force money from a willing people: they had not refused giving money for the *purposes* of the act: no requisition had been made: they were always willing and ready to do what could reasonably be expected from them; and in this light they wish to be considered.

Q. But suppose Great Britain should be engaged in a *war in Europe*, would North America contribute to the support of it?

A. I do think they would, as far as their circumstances would permit. They consider themselves as a part of the British empire, and as having one common interest with it: they may be looked on here as foreigners, but they do not consider themselves as such. They are zealous for the honor and prosperity of this nation; and, while they are well used, will always be ready to support it, as far as their little power goes. In 1739 they were called upon to assist in the expedition against *Carthagena*, and they sent three thousand men to join your army.[1] It is true Carthagena is in America, but as remote from the northern colonies, as if it had been in Europe. They make no distinction of wars, as to their duty of assisting in them. I know the *last war* is commonly spoken of here as entered into for the defence, or for the sake of the people in America. I think it is quite misunderstood. It began about the limits between Canada and Nova Scotia; about territories to which the crown indeed laid claim, but which were not claimed by any British *colony*: none of the lands had been granted to any colonist; we had therefore no particular concern or interest in that dispute. As to the *Ohio*, the contest there began about your right of trading in the

[1] Admiral Vernon and General Wentworth commanded this expedition; with what success is well known.

Indian country, a right you had by the treaty of Utrecht, which the French infringed: they seized the traders and their goods, which were your manufactures; they took a fort which a company of your merchants, and their factors and correspondents had erected there, to secure that trade. Braddock was sent with an army to retake that fort (which was looked on here as another encroachment on the king's territory) and to protect your trade. It was not till after his defeat that the colonies were attacked.[1] They were before in perfect peace with both French and Indians; the troops were not therefore sent for their defence. The trade with the Indians, though carried on in America, is not an *American interest.* The people of America are chiefly farmers and planters; scarce any thing that they raise or produce is an article of commerce with the Indians. The Indian trade is a *British interest;* it is carried on with British manufactures, for the profit of British merchants and manufacturers; therefore the war, as it commenced for the defence of territories of the crown (the property of no American) and for the defence of a trade purely British, was really a *British war*—and yet the people of America made no scruple of contributing their utmost towards carrying it on, and bringing it to a happy conclusion.

Q. Do you think then that the taking possession of the king's territorial rights, and *strengthening the frontiers,* is not an American interest?

A. Not particularly; but conjointly a British and American interest.

[1] When this army was in the utmost distress for the want of waggons, &c. Dr. Franklin and his son voluntarily traversed the country, in order to collect a sufficient quantity; and they had zeal and address enough to effect their purpose, upon pledging themselves to the amount of many thousand pounds, for payment; of which there still remains a balance due to Dr. F.—See an account of this transaction in MEMOIRS of LIFE, Part II. p. 208.

Q. You will not deny that the preceding war, the *war with Spain*, was entered into for the sake of America; was it not *occasioned by captures made in the American* seas?

A. Yes; captures of ships carrying on the British trade there with British manufactures.

Q. Was not the *late war with the Indians, since the peace with France*, a war for America only?

A. Yes; it was more particularly for America than the former; but it was rather a consequence or remains of the former war, the Indians not having been thoroughly pacified; and the Americans bore by much the greatest share of the expense. It was put an end to by the army under General Bouquet; there were not above three hundred regulars in that army, and above one thousand Pennsylvanians.

Q. Is it not necessary to send troops to America, to defend the Americans against the Indians?

A. No, by no means: it never was necessary. They defended themselves when they were but an handful, and the Indians much more numerous. They continually gained ground, and have driven the Indians over the mountains, without any troops sent to their assistance from this country. And can it be thought necessary now to send troops for their defence from those diminished Indian tribes, when the colonies are become so populous and so strong? There is not the least occasion for it; they are very able to defend themselves.

Q. Do you say there were no more than three hundred regular troops employed in the late Indian war?

A. Not on the Ohio, or the frontiers of Pennsylvania, which was the chief part of the war that affected the colonies. There were garrisons at Niagara, Fort Detroit, and those remote posts kept for the sake of your trade: I did not reckon them; but I believe that on the whole the number of Americans, or provincial troops employed in the war, was

greater than that of the regulars. I am not certain, but I think so.

Q. Do you think the assemblies have a right to levy money on the subject there, to grant *to the crown?*

A. I certainly think so; they have always done it.

Q. Are they acquainted with the declaration of rights? and do they know that, by that statute, money is not to be raised on the subject but by consent of parliament?

A. They are very well acquainted with it.

Q. How then can they think they have a right to levy money for the crown, or for any other than local purposes?

A. They understand that clause to relate to subjects only within the realm; that no money can be levied on them for the crown, but by consent of parliament. *The colonies* are not supposed to be within the realm; they have assemblies of their own, which are their parliaments, and they are, in that respect, in the same situation with *Ireland.* When money is to be raised for the crown upon the subject in *Ireland,* or in the colonies, the consent is given in the parliament of Ireland, or in the assemblies of the colonies. They think the parliament of Great Britain cannot properly give that consent, till it has representatives from America; for the petition of right expressly says, it is to be by *common consent of parliament;* and the people of America have no representatives in parliament, to make a part of that common consent.

Q. If the stamp-act should be repealed, and an act should pass, ordering the assemblies of the colonies to indemnify the sufferers by the riots, would they obey it?

A. That is a question I cannot answer.

Q. Suppose the king should require the colonies to grant a revenue, and the parliament should be against their doing it; do they think they can grant a revenue to the king *without* the consent of the parliament of Great Britain?

A. That is a deep question.—As to my own opinion, I

should think myself at liberty to do it, and should do it, if I liked the occasion.

Q. When money has been raised in the colonies, upon requisitions, has it not been granted to the king?

A. Yes, always; but the requisitions have generally been for some service expressed, as to raise, clothe, and pay troops; and not for money only.

Q. If the act should pass, requiring the American assemblies to make compensation to the sufferers, and they should disobey it, and then the parliament should, by another act, lay an internal tax, would they then obey it?

A. The people will pay no internal tax; and I think an act to oblige the assemblies to make compensation is unnecessary; for I am of opinion, that as soon as the present heats are abated, they will take the matter into consideration, and if it is right to be done, they will do it of themselves.

Q. Do not letters often come into the post-office in America, directed to some inland town where no post goes?

A. Yes.

Q. Can any private person take up those letters, and carry them as directed?

A. Yes: any friend of the person may do it, paying the postage that has accrued.

Q. But must not he pay an additional postage for the distance to such inland town?

A. No.

Q. Can the post-master answer delivering the letter, without being paid such additional postage?

A. Certainly he can demand nothing, where he does no service.

Q. Suppose a person, being far from home, finds a letter in a post-office, directed to him, and he lives in a place to which the post generally goes, and the letter is directed to that place, will the post-master deliver him the letter, with-

out his paying the postage receivable at the place to which the letter is directed?

A. Yes; the office cannot demand postage for a letter that it does not carry, or further than it does carry it.

Q. Are not ferrymen in America obliged, by act of parliament, to carry over the posts without pay?

A. Yes.

Q. Is not this a tax on the ferrymen?

A. They do not consider it as such, as they have an advantage from persons travelling with the post.

Q. If the stamp-act should be repealed, and the crown should make a requisition to the colonies for a sum of money, would they grant it?

A. I believe they would.

Q. Why do you think so?

A. I can speak for the colony I live in: I had it in *instruction* from the assembly to assure the ministry, that as they always had done, so they should always think it their duty, to grant such aids to the crown as were suitable to their circumstances and abilities, whenever called upon for that purpose, in the usual constitutional manner; and I had the honor of communicating this instruction to that honorable gentleman then minister.[1]

[1] The following is supposed to be the history of this transaction:—Until 1763, and the years following, whenever Great Britain wanted supplies directly from the colonies, the secretary of state, in his majesty's name, sent them a letter of requisition, in which the occasion for the supplies was expressed; and the colonies returned a *free gift*, the mode of levying which *they* wholly prescribed. At this period, a chancellor of the exchequer (Mr. George Grenville) steps forth and says to the house of commons—*We must call for money from the colonies in the way of a tax;*—and to the colony agents, *write to your several colonies; and tell them, if they dislike a duty upon* stamps, *and prefer any other method of raising the money themselves, I shall be content, provided*

Q. Would they do this for a *British* concern; as suppose a war in some part of Europe that did not affect them?

A. Yes; for any thing that concerned the general interest. They consider themselves as part of the whole.

Q. What is the usual constitutional manner of calling on the colonies for aids?

A. A letter from the secretary of state.

Q. Is this all you mean; a letter from the secretary of state?

A. I mean the usual way of requisition; in a circular letter from the secretary of state, by his majesty's command; reciting the occasion, and recommending it to the colonies to grant such aids as became their loyalty, and were suitable to their abilities.

Q. Did the secretary of state ever write for *money* for the crown?

A. The requisitions have been to raise, clothe, and pay men, which cannot be done without money.

Q. Would they grant money alone, if called on?

A. In my opinion they would, money as well as men, when they have money, or can make it.

the amount *be but raised.* 'That is, observed the colonies, when commenting upon his terms, 'if we will not tax ourselves, *as we may be directed*, the parliament will tax us.'—Dr. Franklin's instructions, spoken of above, related to this gracious option.—As the colonies could not choose '*another tax*,' while they disclaimed *every* tax;—the parliament passed the stamp act.

It seems that the only part of the offer which bore a show of favor, was the grant of the *mode of levying*;—and this was the only circumstance which was *not new*.

See Mr. Mauduit's account of Mr. Grenville's conference with the agents, confirmed by the agents for Georgia and Virginia; and Mr. Burke's speech in 1774.

Q. If the parliament should repeal the stamp-act, will the assembly of Pennsylvania rescind their resolutions?

A. I think not.

Q. Before there was any thought of the stamp-act, did they wish for a representation in parliament?

A. No.

Q. Don't you know that there is, in the *Pennsylvania* charter, an express reservation of the right of parliament to lay taxes there?

A. I know there is a clause in the charter, by which the king grants that he will levy no taxes on the inhabitants, unless it be with the consent of the assembly, *or* by act of parliament.

Q. How then could the assembly of Pennsylvania assert, that laying a tax on them by the stamp-act was an infringement of their rights?

A. They understand it thus: by the same charter, and otherwise, they are entitled to all the privileges and liberties of Englishmen: they find in the great charters, and the petition and declaration of rights, that one of the privileges of English subjects is, that they are not to be taxed but by their *common consent;* they have therefore relied upon it, from the first settlement of the province, that the parliament never would, nor could, by color of that clause in the charter, assume a right of taxing them, *till* it had qualified itself to exercise such right; by admitting representatives from the people to be taxed, who ought to make a part of that common consent.

Q. Are there any words in the charter that justify that construction?

A. The common rights of Englishmen, as declared by Magna Charta, and the petition of right, all justify it.

Q. Does the distinction between internal and external taxes exist in the words of the charter?

A. No, I believe not.

Q. Then may they not, by the same interpretation, object to the parliament's right of external taxation?

A. They never *have* hitherto. Many arguments have been lately used here to shew them that there is no difference, and that if you have no right to tax them internally, you have none to tax them externally, or make any other law to bind them. At present they do not reason so; but in time they may possibly be convinced by these arguments.

Q. Do not the resolutions of Pennsylvania say—*all taxes?*

A. If they do, they mean only internal taxes; the same words have not always the same meaning here and in the colonies. By taxes they mean internal taxes; by duties they mean customs; these are their ideas of language.

Q. Have you not seen the resolutions of the Massachusetts Bay assembly?

A. I have.

Q. Do they not say, that neither external nor internal taxes can be laid on them by parliament?

A. I don't know that they do: I believe not.

Q. If the same colony should say neither tax nor imposition could be laid, does not that province hold the power of parliament can lay neither?

A. I suppose that by the word imposition they do not intend to express duties to be laid on goods imported, as *regulations of commerce.*

Q. What can the colonies mean then by imposition, as distinct from taxes?

A. They may mean many things; as impressing of men, or of carriages, quartering troops on private houses, and the

like: there may be great impositions that are not properly taxes.

Q. Is not the post-office rate an internal tax laid by act of parliament?

A. I have answered that.

Q. Are all parts of the colonies equally able to pay taxes?

A. No, certainly; the frontier parts, which have been ravaged by the enemy, are greatly disabled by that means; and therefore, in such cases, are usually favored in our tax-laws.

Q. Can we at this distance be competent judges of what favors are necessary?

A. The parliament have supposed it, by claiming a right to make tax-laws for America: I think it impossible.

Q. Would the repeal of the stamp-act be any discouragement of your manufactures?—Will the people that have begun to manufacture decline it?

A. Yes, I think they will; especially if, at the same time, the trade is opened again, so that remittances can be easily made. I have known several instances that make it probable. In the war before last, tobacco being low, and making little remittance, the people of Virginia went generally into family-manufactures. Afterwards, when tobacco bore a better price, they returned to the use of British manufactures. So fulling-mills were very much disused in the last war in Pennsylvania, because bills were then plenty, and remittances could easily be made to Britain for English cloth and other goods.

Q. If the stamp-act should be repealed, would it induce the assemblies of America to acknowledge the rights of parliament to tax them, and would they erase *their* resolutions?

A. No, never.

Q. Is there no means of obliging them to erase those resolutions?

A. None that I know of: they will never do it unless compelled by force of arms.

Q. Is there a power on earth that can force them to erase them?

A. No power, how great soever, can force men to change their opinions.

Q. Do they consider the post-office as a tax, or as a regulation?

A. Not as a tax, but as a regulation and conveniency: *every assembly* encouraged it, and supported it in its infancy, by grants of money, which they would not otherwise have done; and the people have always paid the postage.

Q. When did you receive the instructions you mentioned?

A. I brought them with me, when I came to England, about fifteen months since.

Q. When did you communicate that instruction to the minister?

A. Soon after my arrival,—while the stamping of America was under consideration, and *before* the bill was brought in.

Q. Would it be most for the interest of Great Britain to employ the hands of Virginia in tobacco, or in the manufactures?

A. In tobacco, to be sure.

Q. What used to be the pride of the Americans?

A. To indulge in the fashions and manufactures of Great Britain.

Q. What is now their pride?

A. To wear their old clothes over again, till they can make new ones.

Withdrew.

See Appendix, p. 383.

APPENDIX.

No. v.

Account of Governor Hutchinson's Letters, and the Examination of Dr. Franklin before a Committee of the British Privy Council.

[Referred to, Part iii. p. 354, and seq. of MEMOIRS OF THE LIFE.]

GOVERNOR HUTCHINSON, lieutenant-governor Andrew Oliver, Charles Paxton, Esq., Nathaniel Rogers, Esq., and Mr. G. Roome, having sent from Boston certain representations and informations to Thomas Whately, Esq. member of parliament, private secretary to that Mr. George Grenville, who when in office was the father of the stamp act, and afterwards one of the lords of trade; these letters were placed by some friend to the interests of America, in the hands of Dr. Franklin, who, as an agent for the colonies, in discharge of his duty, had them conveyed back to Boston. The assembly of Massachusetts were so much exasperated, that they returned attested copies of the letters to England, accompanied by a petition and remonstrance, for the removal of governor Hutchinson, and lieutenant-governor Andrew Oliver, from their posts. The council of Massachusetts likewise, on their own part, entered into thirteen resolves, in tendency and import similar to the petition of the assembly; five of which resolves were unanimous, and only one of them had so many as three dissentients. In consequence of the assembly's petition, the following proceedings and examination took place.

Dr. Franklin had, from his station of agent for Pennsylvania and Massachusetts, naturally a large share in these transactions; having been also exposed to much indecent persecution, and attacks upon his character, by the ministers and their dependants, he was called upon by the natural constancy and vigor of his mind, to sustain himself and the trusts confided to him; and entered resolutely into those affairs. His examination in 1766, (See Appendix No. IV.) had made an indelible impression on the government, from its force, its truth, the capacity and equanimity of the man; and the jealousy excited by the overwhelming evidence he gave, which proved so clearly the ignorance of ministers, and the impolicy of their measures towards America, caused him thenceforth to be looked upon with an eye of suspicion, if not of hatred. In this temper of the ministers it was that he addressed the following letter, with the memorial, to the secretary of state.

To the Right Hon. the Earl of Dartmouth.

London, Aug. 21, 1773.

My Lord,

I have just received from the house of representatives of the Massachusetts Bay, their address to the king, which I now enclose, and send to your lordship, with my humble request in their behalf, that you would be pleased to present it to his majesty the first convenient opportunity.

I have the pleasure of hearing from that province by my late letters, that a sincere disposition prevails in the people there to be on good terms with the mother country; that the assembly have declared their desire only to be put into the situation they were in before the stamp act: *They aim at no novelties.* And it is said, that having lately discovered, as they think, the authors of their grievances to be some of their own people, their resentment against Britain is thence much abated.

This good disposition of theirs (will your lordship permit me to say) may be cultivated by a favorable answer to this address, which I therefore hope your goodness will endeavor to obtain.

With the greatest respect,

I have the honor to be, my lord, &c.

B. FRANKLIN,

Agent for the House of Representatives.

TO THE KING'S MOST EXCELLENT MAJESTY.

MOST GRACIOUS SOVEREIGN,

We your majesty's loyal subjects, the representatives of your ancient colony of Massachusetts Bay, in general court legally assembled, by virtue of your majesty's writ under the hand and seal of the governor, beg leave to lay this our humble petition before your majesty.

Nothing but the sense of duty we owe to our sovereign, and the obligation we are under to consult the peace and safety of the province, could induce us to remonstrate to your majesty concerning the mal-conduct of persons, who have heretofore had the confidence and esteem of this people; and whom your majesty has been pleased, from the purest motives of rendering your subjects happy, to advance to the highest places of trust and authority in the province.

Your majesty's humble petitioners, with the deepest concern and anxiety, have seen the discords and animosities which have too long subsisted between your subjects of the parent state and those of the American colonies. And we have trembled with apprehensions that the consequences, naturally arising therefrom, would at length prove fatal to both countries.

Permit us humbly to suggest to your majesty, that your

subjects here have been inclined to believe, that the grievances which they have suffered, and still continue to suffer, have been occasioned by your majesty's ministers and principal servants being, unfortunately for us, misinformed in certain facts of very interesting importance to us. It is for this reason that former assemblies have, from time to time, prepared a true state of facts to be laid before your majesty; but their humble remonstrances and petitions, it is presumed, have by some means been prevented from reaching your royal hand.

Your majesty's petitioners have very lately had before them *certain papers*, from which they humbly conceive it is most reasonable to suppose, that there has been long a conspiracy of evil men in this province, who have contemplated measures, and formed a plan to advance themselves to power, and raise their own fortunes, by means destructive of the charter of the province, at the expense of the quiet of the nation, and to the annihilating of the rights and liberties of the American colonies.

And we do, with all due submission to your majesty, beg leave particularly to complain of the conduct of his excellency Thomas Hutchinson, Esq. governor, and the honorable Andrew Oliver, Esq. lieutenant-governor of this your majesty's province, as having a natural and efficacious tendency to interrupt and alienate the affections of your majesty, our rightful sovereign, from this your loyal province; to destroy that harmony and good-will between Great Britain and this colony, which every honest subject should strive to establish; to excite the resentment of the British administration against this province; to defeat the endeavors of our agents and friends to serve us by a fair representation of our state of facts; to prevent our humble and repeated petitions from reaching the ear of your majesty, or having their desired effect. And finally, that the said Thomas Hutchinson and Andrew Oliver have

been among the chief instruments in introducing a fleet and army into this province, to establish and perpetuate their plans, whereby they have been not only greatly instrumental in disturbing the peace and harmony of the government, and causing unnatural and hateful discords and animosities between the several parts of your majesty's extensive dominions; but are justly chargeable with all that corruption of morals, and all that confusion, misery, and bloodshed, which have been the natural effects of posting an army in a populous town.

Wherefore we most humbly pray, that your majesty would be pleased to remove from their posts in this government the said Thomas Hutchinson, Esquire, and Andrew Oliver, Esq.; who have, by their above-mentioned conduct, and otherwise, rendered themselves justly obnoxious to your loving subjects, and entirely lost their confidence; and place such good and faithful men in their stead, as your majesty in your wisdom shall think fit.

In the name and by order of the House of Representatives.

THOMAS CUSHING, *Speaker.*

Lord Dartmouth's answer to Dr. Franlin's Letter.

Sandwell, 25th of August, 1773.

Sir,

I have received your letter of the 21st instant, together with an address of the house of representatives of the Massachusetts Bay, which I shall not fail to lay before the king the next time I shall have the honor of being admitted into his presence. I cannot help expressing to you the pleasure it gives me to hear that a sincere disposition prevails in the people of that province to be on good terms with the mother

country, and my earnest hope that the time is at no great distance, when every ground of uneasiness will cease, and the most perfect tranquillity and happiness be restored to the breasts of that people.

I am, Sir, your most obedient humble servant,

DARTMOUTH.

BENJAMIN FRANKLIN, ESQ.

Both houses at the same time joined in a letter to Lord Dartmouth on this subject, (dated June 29.) It came through Dr. Franklin's hands, and he transmitted it to his lordship.

The petition of the Massachusetts assembly lay for some time in the hands of the ministers; and in the beginning of the following year was taken up. Mr. Mauduit, who acted as agent for the governor, had several private conferences with the ministers, and addressed to the committee of the privy council, on the 10th of January 1774, the following letter:

To the Lords' Committee of his Majesty's Privy Council for Plantation Affairs.

THE PETITION OF ISRAEL MAUDUIT.

Humbly sheweth unto your Lordships;

THAT having been informed that an address, in the name of the house of representatives of his majesty's colony of Massachusetts Bay, has been presented to his majesty by Benjamin Franklin, Esquire, praying the removal of his majesty's governor and lieutenant-governor, which is appointed to be taken into consideration on Thursday next; your petitioner, on the behalf of the said governor and lieutenant-governor, humbly prays, that he may be heard by counsel in re-

lation to the same, before your lordships shall make any report on the said address.

ISRAEL MAUDUIT.

Clement's Lane, Jan. 10, 1774.

A controversy had taken place in the public prints between Mr. Thomas Whately's brother and Mr. John Temple, arising out of the manner in which the letters of Governor Hutchinson, &c. had passed to Boston, from among the papers of Mr. Thomas Whately, who was at this time deceased.

Mr. Whately wished to avoid the charge of having given them, Mr. Temple of having taken them. At length the dispute became so personal and pointed, that Mr. Temple thought it necessary to call the surviving brother into the field. The letter of provocation appeared in the morning, and the parties met in the afternoon. Dr. Franklin was not then in town; and it was only after some interval that he received the intelligence. What had passed he could not foresee: but he considered it to be his duty, and therefore he endeavored to prevent what still might otherwise follow, by publishing the following article:

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR,

FINDING that two gentlemen have been unfortunately engaged in a duel, about a transaction and its circumstances, of which both of them are totally ignorant and innocent; I think it incumbent upon me to declare (for the prevention of farther mischief, as far as such a declaration may contribute to prevent it), that I alone am the person who obtained and transmitted to Boston the letters in question. Mr.

W. could not communicate them, because they were never in his possession; and for the same reason, they could not be taken from him by Mr. T.—They were not of the nature of *private* letters between friends. They were written by public officers to persons in public stations, on public affairs, and intended to procure public measures; they were therefore handed to other public persons who might be influenced by them to produce those measures. Their tendency was to incense the mother country against her colonies, and by the steps recommended, to widen the breach; which they effected.—The chief caution expressed with regard to privacy, was, to keep their contents from the colony agents, who the writers apprehended might return them, or copies of them to America. That apprehension was, it seems, well founded: for the first agent who laid his hands on them thought it his duty to transmit them to his constituents.

B. FRANKLIN,

Agent for the House of Representatives of Massachusetts Bay.

Craven-street, Dec. 25, 1773.

It will be seen by the dates, that this publication by Dr. Franklin, and the transactions which led to it, followed the presentation of the Massachusetts petition, and preceded the letter of Mr. Mauduit to the council; and it will be seen in the narration that follows of the proceedings before the privy council, that these letters and publications were brought into view, and produced effects which ought to be a perpetual lesson to statesmen.

The committee of privy council met on the 11th of Jan. 1774.

PRESENT. *The lord president of the council.*

The secretaries of state, and many other lords.

Dr. Franklin and Mr. Bollan, agents for Pennsylvania and Massachusetts.

Mr. Mauduit, agent for the governor of Massachusetts, with Mr. Wedderburn as his counsel.

Dr. Franklin's letter and the address, Mr. Pownall's letter, and Mr. Mauduit's petition, were read.

Mr. Wedderburn. The address mentions certain papers; I could wish to be informed what are those papers.

Dr. Franklin. They are the letters of Mr. Hutchinson and Mr. Oliver.

Court. Have you brought them?

Dr. Franklin. No; but here are attested copies.

Court. Do you mean to found a charge upon them?—if you do, you must produce the letters.

Dr. Franklin. These copies are attested by several gentlemen at Boston, and a notary public.

Mr. Wedderburn. My lords, we shall not take advantage of any imperfection in the proof. We admit that the letters are Mr. Hutchinson's and Mr. Oliver's hand-writing: reserving to ourselves the right of inquiring *how* they *were* obtained.

Dr. Franklin. I did not expect that counsel would have been employed on this occasion.

Court. Had you not notice sent you of Mr. Mauduit's having petitioned to be heard by counsel on behalf of the governor and lieutenant-governor.

Dr. Franklin. I did receive such notice; but I thought this had been a matter of *politics*, not of law, and have not brought my counsel.

Court. Where a charge is brought, the parties have a right to be heard by counsel or not, as they choose.

Mr. Mauduit. My lords, I am not a native of that country, as these gentlemen are. I know well Dr. Franklin's

abilities, and wish to put the defence of my friends more upon a parity with the attack; he will not therefore wonder that I choose to appear before your lordships with the assistance of counsel. My friends, in their letters to me, have desired (if any proceedings, as they say, should be had upon this address) that they may have a hearing in their own justification, that their innocence may be fully cleared, and their honor vindicated, and have made provision accordingly. I do not think myself at liberty therefore to give up the assistance of my counsel in defending them against this unjust accusation.

Court. Dr. Franklin may have the assistance of counsel, or go on without it, as he shall choose.

Dr. Franklin. I desire to have counsel.

Court. What time do you want?

Dr. Franklin. Three weeks.

Ordered, that the further proceedings be on Saturday the 29th instant.

The committee of privy-council met according to their adjournment, on the 29th January following, when Mr. *John Dunning* (afterwards lord Ashburton) and Mr. *John Lee,* both eminent lawyers, appeared as counsel on behalf of the Massachusetts assembly. Mr. Wedderburn (afterwards lord Loughborough) appeared as counsel for the governor and lieutenant-governor.

The matter being a complaint from the Massachusetts assembly, their counsel were first heard of course. Mr. Wedderburn was very long and laborious, and indecently acrimonious in his answers. Instead of justifying his clients, or vindicating their conduct in the administration, which was the matter complained of, Mr. Wedderburn bent the whole force of his discourse, which was an inflammatory invective, against Dr. Franklin, who sat, with calm equanimity, an

auditor of this injudicious and indecorous course of proceeding.

The principal butt of his acrimony was the matter of dispute between Mr. Temple and Mr. Whately; and the preceding letter published by Dr. Franklin in the Public Advertiser of 25th December, 1773.

Mr. Dunning had substantiated the complaints of the assembly, by exhibiting the letters which were at this time published in a pamphlet; and also in the Remembrancer of 1773; and he stood upon their letters as proof of their being unworthy of the confidence of the government, as well as of the assembly of Massachusetts. Among other matters, he stated, that Andrew Oliver had suggested to the ministry, "to stipulate with the merchants of England, and purchase from them large quantities of goods proper for the American market; agreeing beforehand to allow them a premium equal to the advance of their stock in the trade, if the price of their goods was not enhanced by a tenfold demand in future, even though the goods might lie on hand till this temporary stagnation of business ceased. By such a step," said he, "*the game will be up with my countrymen.*" That Oliver had on other occasions (in a letter to the ministry, dated Feb. 15, 1769), "indirectly recommended assassination;" his words being, "that some method should be devised to *take off* the original incendiaries, whose writings supplied the fuel of sedition through the Boston Gazette."[1] And he referred to the case of Mr. Otis, who, notwithstanding he held the office of king's advocate, under the predeces-

[1] The writers alluded to were Messrs. Otis, Dexter, Warren, Adams, Quinsey, Mayhen, and Cooper. Mr. Otis was so much injured by the wounds he received, as never to recover, and afterwards died in a state of mental derangement, produced by his wounds.

sor of governor Hutchinson, had been at night attacked by one Robinson, a commissioner of the king's customs, at the head of a gang of ruffians armed with swords and bludgeons; who, on entering the house, extinguished the lights, and after leaving the respectable gentleman covered with wounds, fled and found a refuge on board a king's ship. Mr. Hutchinson by one declaration alone, he said, justified all the complaints of Massachusetts, and called for an immediate dismission of an officer so hostile to the rights and liberties of his countrymen. He who had declared "*there must be an abridgment of English liberties* in the colonies," was justly charged with "making wicked and injurious representations, designed to influence the ministry, and the nation, and to excite jealousies in the breast of the king against his faithful subjects."

The speeches of Messrs. Dunning and Lee were never reported at length; but the extracts which they read were marked for them by Dr. Franklin, of which the following is one.

EXTRACTS FROM HUTCHINSON'S CORRESPONDENCE.

Boston, June 22, 1772.

"The union of the colonies is pretty well broke: I hope I shall never see it renewed. Indeed our sons of liberty are hated and despised by their former brethren in New York and Pennsylvania; and it must be something very extraordinary ever to reconcile them."

"*Boston, December* 8, 1772.

"You see no difference between the case of the colonies and that of Ireland. I care not in how favorable a light you look upon the colonies, if it does not separate us from you. You will certainly find it more difficult to retain the colonies than you do Ireland. *Ireland is near you*, and under your

constant inspection; all officers are *dependent* and *removable* at pleasure. The colonies are remote, and the officers generally *more disposed to please the people than the king* or his representative. In Ireland you have always the *ultima ratio* [a standing army]: in the colonies you are either destitute of it, or you have no civil magistrate to direct the use of it."

Mr. Wedderburn, after a review of the arguments of counsel, and the customary eulogies on the loyalty and services of his clients, evading the examination of the matter in complaint, directed himself to an inculpation of the assembly and people of Massachusetts, and intemperately against the character and conduct of Dr. Franklin generally, but particularly in the case of the letters.

"The letters could not have come to Dr. Franklin," said Mr. Wedderburn, "by *fair means*. The writers did not give them to him, nor yet did the deceased correspondent, who, from our intimacy, would otherwise have told me of it: nothing then will acquit Dr. Franklin of the charge of obtaining them by fraudulent or corrupt means, for the most malignant of purposes, unless he stole them from the person who stole them. This argument is irrefragable.

"I hope, my lords, you will mark and brand the man, for the honor of this country, of Europe, and of mankind. Private correspondence has hitherto been held sacred in times of the greatest party rage, not only in politics but religion." —"He has forfeited all the respect of societies and of men. Into what companies will he hereafter go with an unembarrassed face, or the honest intrepidity of virtue? Men will watch him with a jealous eye; they will hide their papers from him, and lock up their escrutoires. He will hence-

forth esteem it a libel to be called *a man of letters, homo* TRIUM[1] *literarum!*

"But he not only took away the letters from one brother, but kept himself concealed till he nearly occasioned the murder of the other. It is impossible to read his account, expressive of the coolest and most deliberate malice, without horror. [*Here he read the letter of Dr. Franklin in the Public Advertiser.*]—Amidst these tragical events, of one person nearly murdered; of another answerable for the issue; of a worthy governor hurt in his dearest interests; the fate of America is in suspense: here is a man, who, with the utmost insensibility of remorse, stands up and avows himself the author of all.—I can compare it only to Zanga in Dr. Young's *Revenge*.[2]

> "Know then 'twas——I,
> I forged the letter,——I disposed the picture;——
> I hated,——I despised,——and I destroy."

"I ask, my lords, whether the revengeful temper, attributed by poetic fiction only to the bloody African, is not surpassed by the coolness and apathy of the wily American?"

These pleadings for a time worked great effects; the lords assented, the town was convinced, Dr. Franklin was dismissed,[3] and Mr. Wedderburn placed himself in the road for that high advancement which he sought, and with which he was rewarded;

> "*Damn'd to everlasting Fame.*"—POPE.[4]

[1] i. e. Fur (or *thief.*) [2] Act Vth.

[3] He was dismissed from his station in the American post-office, which had only been productive under his management.

[4] Mr. Wedderburn had already by his intrigues and servility been appointed to the offices of solicitor-general and cofferer to the queen:

Unfortunately for Mr. Wedderburn, the events of the war did not correspond with his system. Unfortunately too for

he was afterwards promoted to the chancellorship, and progressively created Baron Loughborough and Earl Rosslyn. His *politics* are hereby ascertained; *principles* he had none; for he had been inducted into public life under the auspices of Mr. George Grenville, after the latter had professed the principles of *Whiggism*, and while he was a partisan of Lord Rockingham; and it is to this defection from the tenets that Mr. Wedderburn had avowed, that Junius alludes to in his 44th Letter, when he says,—"To sacrifice a respected character, and to renounce the esteem of society, requires more than Mr. Wedderburn's resolution: and though in him it was rather a profession than a desertion of his principles, yet we have seen him in the house of commons overwhelmed with confusion, and almost bereft of his faculties."

Another energetic writer thus depicted Wedderburn, after he arrived at the *chancellorship*.

"Whelp'd on some *lare*,[1] in *rueful' poortith*[2] bred,
In early youth with *aits* and *haggess*[3] fed,
Sent hungry forth at thy lean sire's command,
To mend thy fortunes in this promised land;
Thou didst not *rise* the chancery bench to fill,
Where long-wigg'd blockheads wait thy wayward will;
Thou didst *descend*, as modest *Scotsmen* can,
From that proud ATTIC[4] where thy course began:
Nor didst thou for the law's slow learning wait,
But gain'dst thine object—through *another gate*.
—Skill'd in the *dark intrigues*, the *thriving tricks*,
The crooked paths of modern politics,
False to thy party, faithless to thy friends,[5]
And only *constant* to thy *private ends*."

* * * * * * *

[1] *A bog.* [2] *Rueful poverty.*

[3] *Oats and haggess*, food of the poorer Scots.

[4] Alluding to his first chamber in the Temple.

[5] "As for *Mr. Wedderburn*, there is something about him, that even *treachery* can not *trust*."—*Junius*, Letter 49.

his "irrefragable argument," Dr. Franklin afterwards took an oath in chancery, that at the time that he transmitted the letters, he was ignorant of the party to whom they had been addressed, having himself received them from a third person, and for the express purpose of their being conveyed to America. Unfortunately also for Mr. Wedderburn's "worthy governor," that governor himself, *before* the arrival of Dr. Franklin's packet in Boston, sent over one of Dr. Franklin's own "*private*" letters to England; expressing some little coyness indeed upon the occasion, but desiring secresy, lest he should be prevented procuring *more* useful intelligence from the same source.[1] Whether Mr. Wedderburn in his speech intended to draw a particular case and portraiture, for the purpose only of injuring Dr. Franklin, or meant that his language and epithets should apply generally to all, whether friends or foes, whose practice should be found similar to it, is a matter not of so much importance.

But to return to Dr. Franklin. It was not singular perhaps, that, as a man of honor, he should surrender his name to public scrutiny in order to prevent mischief to others, and yet not betray his coadjutor (even to his death) to relieve his own fame from the severest obloquy; but perhaps it belonged to few besides Dr. Franklin, to possess mildness and magnanimity enough to refrain from intemperate expressions and measures against Mr. Wedderburn and his supporters, after all that had passed. In a note, in the hand-writing of Dr. Franklin, he observes on the word *duty*, in the close of his letter in the Public Advertiser, as follows:

"Governor Hutchinson, as appears by his letters, since found and published in New England, had the same idea of

[1] See the Remembrancer for the year 1776, part ii. p. 61, col. 1st. and 2d.

duty, when he procured copies of Dr. Franklin's letters to the assembly, and sent them to the ministry of England."

The result of the deliberations of the committee of the privy-council was such as might be expected from the complacency with which they had heard Mr. Wedderburn, and the general fatuity that appears to have governed the councils of the British nation at the time.

The privy-council made a report in which was expressed the following opinion.

"The lords of the committee do agree humbly to report, as their opinion to your majesty, that the petition is founded upon resolutions formed on false and erroneous allegations; and is groundless, vexatious, and scandalous, and calculated only for the seditious purpose of keeping up a spirit of clamor and discontent in the said province. And the lords of the committee do further humbly report to your majesty, that nothing has been laid before them which does or can, in their opinion, in any manner, or in any degree, impeach the honor, integrity, or conduct of the said governor or lieutenant-governor: and their lordships are humbly of opinion that the said petition ought to be dismissed."

Feb. 7th, 1774. "His majesty taking the said report into consideration, was pleased, with the advice of his privy-council, to approve thereof; and to order that the said petition of the house of representatives of the province of Massachusetts Bay be dismissed the board—as groundless, vexatious, and scandalous; and calculated only for the seditious purpose of keeping up a spirit of clamor and discontent in the said province."

A former petition against Governor Bernard, met with a dismission, couched in similar terms.

A few days after this disgraceful business, the following was inserted in the PUBLIC ADVERTISER.

TO ALEXANDER WEDDERBURN, ESQ.

You stated as a fact, in your late speech before the privy-council, that Dr. Franklin sent the letters in an anonymous cover, with injunctions of secresy, (written in a hand, however, well known there,) not to the speaker, as officially he ought to have done, but to private persons. Hence you drew a conclusion, that he was conscious of villany, and ashamed at having it known.

The weakness of this stating, were it *true*, would defeat the wickedness of the conclusion. How could you suppose a man would expect concealment from suppressing his name, if *his hand* were well known? or if, by some strange confusion of ideas, he did think himself concealed, to what end should he enjoin *secresy*?—Wherefore should he have wished for concealment? Was there such terror in the hatred of those detected, Mr. Hutchinson and Mr. Oliver? Could he possibly have conceived that any set of ministers would be so weak and wicked as to persecute him for a measure, which ministered to them the fairest opportunity of healing graciously those unhappy divisions with which they were perplexed in the extreme?

But what will your hearers, what will the world think of you, when I affirm that the whole of what you stated was *an absolute falsehood*? I defy you to prove a word of it. I feel the harshness of the terms I use, but I appeal to every one that heard you, whether the language you uttered entitles you to be treated like a gentleman?

The letters were enclosed to the speaker; that which accompanied them was signed by the agent; nor was there a single injunction of secresy with regard to the sender. He

apprehended that the immediate publication of them would raise the popular indignation so as to be fatal to the writers. Out of humanity to them he desired they might not be made public.

Dr. Franklin's declaration was the next subject of your abuse. You inveighed against it as marking the most inhuman apathy that the imagination could conceive, made to insult over distress, and aggravate the wounds which his villany had occasioned.

Let us state the fact, and see how far it would support the charge.

On the 8th of December, a letter under the signature of ANTENOR, accused Mr. Temple of dishonorably taking the letters in question from Mr. Whately, whose name was vouched for the truth of the charge. The next day Mr. Temple's accuser appeared, declaring Mr. Whately's concurrence with him in denying the facts, on which the charge was founded. So far was there, in this stage of the business, any appearance of any quarrel likely to happen between these two gentlemen, that it seemed as if they were united in contradicting a malignant anonymous accusation; but on the 11th Mr. Whately contradicted Mr. Temple, and *at four o'clock that day* the duel was fought.—What time or opportunity was there here for the intervention of Dr. Franklin, especially as Mr. Temple's challenge was grounded on the other's flatly denying what he had actually given to the public under his hand?—The original cause of the dispute was, Mr. Whately's having given rise to, and countenanced a most false, unjust, and cruel accusation against Mr. Temple.

The following *Plaisanterie* also appeared about this time, and was attributed to Dr. Franklin.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR,

D. E. Q. that is Sir F. Bernard, in his long, labored, and special dull answer to Q. E. D. endeavors to persuade the king, that as he was his majesty's representative, there was a great similitude in their characters and conduct; and that Sir F.'s enemies are *enemies of his majesty* and of all government! This puts one in mind of the chimney-sweeper condemned to be hanged for theft, who being charitably visited by a good clergyman for whom he had worked, said, "*I hope your honor will take my part, and get a reprieve for me, and not let my enemies have their will; because it is upon your account that they have prosecuted and sworn against me.*" "On my account! how can that be?" "*Why, sir, because as how ever since they knew I was employed by your honor, they resolved upon my ruin: for they are enemies to all religion; and they hate you and me and every body in black.*"

Z. Z.

APPENDIX.

NO. VI.

CONSTITUTION OF THE UNITED STATES OF AMERICA.

[Referred to in MEMOIRS of the LIFE, Part v. Vol II. p. 198.]

We the People of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this CONSTITUTION *for the United States of America.*

ARTICLE I.

Sect. 1. ALL legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a senate and house of representatives.

Sect. 2. The house of representatives shall be composed of members chosen every second year by the people of the several states, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

No person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years

a citizen of the United States, and who shall not, when elected, be an inhabitant of the state in which he shall be chosen.

Representatives and direct taxes shall be apportioned among the several states which may be included within this union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every thirty thousand, but each state shall have at least one representative; and until such enumeration shall be made, the state of New-Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the representation from any state, the executive authority thereof shall issue writs of election to fill such vacancies.

The house of representatives shall choose their speaker and other officers; and shall have the sole power of impeachment.

Sect. 3. The senate of the United States shall be composed of two senators from each state, chosen by the legislature thereof, for six years; and each senator shall have one vote.

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may

be into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the legislature of any state, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state for which he shall be chosen.

The vice-president of the United States shall be president of the senate, but shall have no vote, unless they be equally divided.

The senate shall choose their other officers, and also a president *pro tempore*, in the absence of the vice-president, or when he shall exercise the office of president of the United States.

The senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the president of the United States is tried, the chief justice shall preside: and no person shall be convicted without the concurrence of two-thirds of the members present.

Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law.

Sect. 4. The times, places and manner of holding elections

for senators and representatives, shall be prescribed in each state by the legislature thereof: but the congress may at any time by law make or alter such regulations, except as to the places of choosing senators.

The congress shall assemble at least once in every year; and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

Sect. 5. Each house shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorised to compel the attendance of absent members, in such manner, and under such penalties, as each house may provide.

Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secresy; and the yeas and nays of the members of either house on any question, shall, at the desire of one-fifth of those present, be entered on the journal.

Neither house, during the session of congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

Sect. 6. The senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States, shall be a member of either house during his continuance in office.

Sect. 7. All bills for raising revenue shall originate in the house of representatives: but the senate may propose or concur with amendments as on other bills.

Every bill which shall have passed the house of representatives and the senate shall, before it become a law, be presented to the president of the United States; if he approve, he shall sign it; but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the president within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the congress by their adjournment prevent its return, in which case it shall not be a law.

Every order, resolution or vote, to which the concurrence of the senate and house of representatives may be necessary (except on a question of adjournment), shall be presented to the president of the United States; and before the same shall

take effect, shall be approved by him, or being disapproved by him, shall be re-passed by two-thirds of the senate and house of representatives, according to the rules and limitations prescribed in the case of a bill.

Sect. 8. The congress shall have power

To lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts and excises, shall be uniform throughout the United States:

To borrow money on the credit of the United States:

To regulate commerce with foreign nations, and among the several states, and with the Indian tribes:

To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States:

To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures:

To provide for the punishment of counterfeiting the securities and current coin of the United States:

To establish post-offices and post-roads:

To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries:

To constitute tribunals inferior to the supreme court:

To define and punish piracies and felonies committed on the high seas, and offences against the law of nations:

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water:

To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years:

To provide and maintain a navy:

To make rules for the government and regulation of the land and naval forces:

To provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions:

To provide for organising, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by congress:

To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may by cession of particular states, and the acceptance of congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings:—And

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof.

Sect. 9. The migration or importation of such persons, as any of the states now existing shall think proper to admit, shall not be prohibited by the congress prior to the year one thousand eight hundred and eight; but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

The privilege of the writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

No bill of attainder or *ex post facto* law shall be passed.

No capitation, or other direct tax shall be laid, unless in proportion to the *census* or enumeration herein-before directed to be taken.

No tax or duty shall be laid on articles exported from any state. No preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another; nor shall vessels bound to, or from, one state, be obliged to enter, clear, or pay duties in another.

No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

No title of nobility shall be granted by the United States: and no person holding any office of profit or trust under them shall, without the consent of the congress, accept of any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign state.

Sect. 10. No state shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, or grant any title of nobility.

No state shall, without the consent of the congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts laid by any state on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the congress. No state shall, without the consent of congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II.

Sect. 1. The executive power shall be vested in a president of the United States of America. He shall hold his office during the term of four years, and together with the vice-president, chosen for the same term, be elected as follows:

Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the state may be entitled in the congress: but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

The electors shall meet in their respective states, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same state with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit, sealed, to the seat of the government of the United States, directed to the president of the senate. The president of the senate shall, in the presence of the senate and house of representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the president, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the house of representatives shall immediately choose by ballot one of them for president; and if no person have a majority, then from the five highest on the list the said house shall in like manner choose the president. But in choosing the president, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of

all the states shall be necessary to a choice. In every case, after the choice of the president, the person having the greatest number of votes of the electors shall be the vice-president. But if there should remain two or more who have equal votes, the senate shall choose from them by ballot the vice-president.

The congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

No person, except a natural-born citizen, or a citizen of the United States at the time of the adoption of this constitution, shall be eligible to the office of president; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

In case of the removal of the president from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the vice-president, and the congress may by law provide for the case of removal, death, resignation, or inability, both of the president and vice-president, declaring what officer shall then act as president, and such officer shall act accordingly, until the disability be removed, or a president shall be elected.

The president shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

Before he enter on the execution of his office, he shall take the following oath or affirmation:

"I do solemnly swear (or affirm) that I will faithfully execute the office of president of the United States, and will to the best of my ability preserve, protect and defend the constitution of the United States."

Sect. 2. The president shall be commander in chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices; and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

He shall have power, by and with the advice and consent of the senate, to make treaties, provided two-thirds of the senators present concur; and he shall nominate, and by and with the advice and consent of the senate shall appoint ambassadors, other public ministers and consuls, judges of the supreme court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law: but the congress may by law vest the appointment of such inferior officers, as they think proper, in the president alone, in the courts of law, or in the heads of departments.

The president shall have power to fill up all vacancies that may happen during the recess of the senate, by granting commissions which shall expire at the end of their next session.

Sect. 3. He shall from time to time give to the congress information of the state of the union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

Sect. 4. The president, vice-president, and all the civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

ARTICLE III.

Sect. 1. The judicial power of the United States shall be vested in one supreme court, and in such inferior courts as the congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

Sect. 2. The judicial power shall extend to all cases, in law and equity, arising under this constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more states, between a state and citizens of another state, between citizens of different states, between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects.

In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be a party, the supreme court shall have original jurisdiction. In all the other cases before-mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state

where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the congress may by law have directed.

Sect. 3. Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

The congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

ARTICLE IV.

Sect. 1. Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings, of every other state. And the congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

Sect. 2. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall, on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

No person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

Sect. 3. New states may be admitted by the congress into this union; but no new state shall be formed or erected

within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislatures of the states concerned as well as of the congress.

The congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

Sect. 4. The United States shall guarantee to every state in this union a republican form of government, and shall protect each of them against invasion, and, on application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence.

ARTICLE V.

The congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this constitution, or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the congress; provided, that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the senate.

ARTICLE VI.

All debts contracted and engagements entered into, before the adoption of this constitution, shall be as valid against the

United States under this constitution as under the confederation.

This constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding.

The senators and representatives before-mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound, by oath or affirmation, to support this constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII.

The ratification of the conventions of nine states shall be sufficient for the establishment of this constitution between the states so ratifying the same.

DONE in Convention, by the unanimous consent of the States present, the seventeenth day of September, in the year of our Lord One Thousand Seven Hundred and Eighty-seven, and of the independence of the United States of America the Twelfth. In witness whereof we have hereunto subscribed our Names.

G. WASHINGTON, PRESIDENT,
And Deputy from VIRGINIA.

NEW HAMPSHIRE, John Langdon,—Nicholas Gilman.
MASSACHUSETTS, Nathaniel Gorham,—Rufus King.
CONNECTICUT, W. S. Johnson,—Roger Sherman.
NEW YORK, Alexander Hamilton.

NEW JERSEY, W. Livingston,—David Brearley,—W. Patterson,—Jonathan Dayton.

PENNSYLVANIA, B. Franklin.—Thomas Mifflin,—Rob. Morris,—Geo. Clymer,—Tho. Fitzsimons,—Jared Ingersoll,—James Wilson,—Gouv. Morris.

DELAWARE, George Read,—Gunning Bedford, junior,—John Dickinson,—Richard Bassett,—Jaco. Broom.

MARYLAND, James M'Henry,—Dan. of St. Thos. Jenifer,—Danl. Carroll.

VIRGINIA, John Blair,—James Madison, junior.

NORTH CAROLINA, Wm. Blount,—Richard Dobbs Spaight,—Hu. Williamson.

SOUTH CAROLINA, J. Rutledge,—Charles Cotesworth Pinckney,—Charles Pinckney,—Pierce Butler.

GEORGIA, William Few,—Abr. Baldwin.

Attest. WILLIAM JACKSON, *Secretary.*

IN CONVENTION.

Monday, September 17, 1787.

PRESENT,

The states of New Hampshire, Massachusetts, Connecticut, Mr. *Hamilton* from New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia.

RESOLVED,

THAT the preceding constitution be laid before the United States in congress assembled, and that it is the opinion of this convention, that it should afterwards be submitted to a convention of delegates, chosen in each state by the people thereof, under the recommendation of its legislature, for their assent and ratification; and that each convention assenting to,

and ratifying the same, should give notice thereof to the United States in congress assembled.

Resolved, That it is the opinion of this convention, that as soon as the conventions of nine states shall have ratified this constitution, the United States in congress assembled should fix a day on which electors should be appointed by the states which shall have ratified the same, and a day on which the electors should assemble to vote for the president, and the time and place for commencing proceedings under this constitution. That after such publication the electors should be appointed, and the senators and representatives elected: That the electors should meet on the day fixed for the election of the president, and should transmit their votes certified, signed, sealed and directed, as the constitution requires, to the secretary of the United States in congress assembled; that the senators and representatives should convene at the time and place assigned; that the senators should appoint a president of the senate, for the sole purpose of receiving, opening and counting the votes for president: and, that after he shall be chosen, the congress, together with the president, should, without delay, proceed to execute this constitution.

By the unanimous order of the convention,

G. WASHINGTON, PRESIDENT.

W. Jackson, Secretary.

IN CONVENTION, *September* 17, 1787.

SIR,

WE have now the honor to submit to the consideration of the United States in congress assembled, that constitution which has appeared to us the most advisable.

The friends of our country have long seen and desired, that the power of making war, peace and treaties, that of levying money and regulating commerce, and the correspondent exe-

cutive and judicial authorities, should be fully and effectually vested in the general government of the union: but the impropriety of delegating such extensive trust to one body of men is evident. Hence results the necessity of a different organization.

It is obviously impracticable in the federal government of these states, to secure all rights of independent sovereignty to each, and yet provide for the interest and safety of all. Individuals entering into society must give up a share of liberty to preserve the rest. The magnitude of the sacrifice must depend as well on the situation and circumstance as on the object to be obtained. It is at all times difficult to draw with precision the line between those rights which must be surrendered, and those which may be reserved: and on the present occasion this difficulty was increased by a difference among the several states as to their situation, extent, habits, and particular interests.

In all our deliberations on this subject we kept steadily in our view, that which appears to us the greatest interest of every true American, the consolidation of our union, in which is involved our prosperity, felicity, safety, perhaps our national existence. This important consideration, seriously and deeply impressed on our minds, led each state in the convention to be less rigid on the points of inferior magnitude than might have been otherwise expected: and thus the constitution, which we now present, is the result of a spirit of amity, and of that mutual deference and concession which the peculiarity of our political situation rendered indispensable.

That it will meet the full and entire approbation of every state is not perhaps to be expected: but each will doubtless consider, that had her interests been alone consulted, the consequences might have been particularly disagreeable or injurious to others: that it is liable to as few exceptions as

could reasonably have been expected, we hope and believe: that it may promote the lasting welfare of that country so dear to us all, and secure her freedom and happiness, is our most ardent wish.

With great respect, we have the honor to be,

Sir,

Your Excellency's most obedient and humble Servants,

G. WASHINGTON, PRESIDENT.

By the unanimous Order of the Convention.

His Excellency

The PRESIDENT *of* CONGRESS.

APPENDIX.

No. VII.

QUERIES and REMARKS on a paper, entitled "*Hints for the Members of Convention.*" No. II. in the Federal Gazette of Tuesday, Nov. 3, 1789.

[Referred to in MEMOIRS of the Life, PART v. vol. ii. p. 206.]

HINT 1. OF THE EXECUTIVE BRANCH.

"*Your executive should consist of a single person.*"

On this I would ask, is he to have no council? How is he to be informed of the state and circumstances of the different counties, their wants, their abilities, their dispositions, and the characters of the principal people, respecting their integrity, capacities, and qualifications for offices? Does not the present construction of our executive provide well for these particulars? And during the number of years it has existed, have its errors or failures in answering the end of its appointment been more or greater than might have been expected from a single person?

"*But an individual is more easily watched and controlled than any greater number.*"

On this I would ask, who is to watch and control him? and by what means is he to be controlled? Will not those means, whatever they are, and in whatever body vested, be subject to the same inconveniences of expense, delay, ob-

struction of good intentions, &c. which are objected to the present executive?

2. The Duration of the Appointment.

"This should be governed by the following principles, the independence of the magistrate, and the stability of his administration: neither of which can be secured but by putting both beyond the reach of every annual gust of folly and of faction."

On this it may be asked, ought it not also to be put beyond the reach of every triennial, quinquennial, or septennial gust of folly and faction, and in short beyond the reach of folly and of faction at any period whatever? Does not this reasoning aim at establishing a monarchy at least for life, like that of Poland? or, to prevent the inconveniences such as that kingdom is subject to in a new election on every decease? Are the freemen of Pennsylvania convinced from a view of the history of such governments, that it will be for their advantage to submit themselves to a government of such construction?

3. On the Legislative Branch.

"A plural legislature is as necessary to good government as a single executive. It is not enough that your legislature should be numerous, it should also be divided. Numbers alone are not a sufficient barrier against the impulses of passion, the combination of interest, the intrigues of faction, the haste of folly, or the spirit of encroachment. One division should watch over and control the other; supply its wants, correct its blunders, and cross its designs, should they be criminal or erroneous. Wisdom is the specific quality of the

legislature, grows out of the number of the body, and is made up of the portions of sense and knowledge which each member brings to it."

On this it may be asked, may not the wisdom brought to the legislature by each member be as effectual a barrier against the impulses of passion, &c., when the members are united in one body as when they are divided? If one part of the legislature may control the operations of the other, may not the impulses of passion, the combinations of interest, the intrigues of faction, the haste of folly, or the spirit of encroachment in one of those bodies obstruct the good proposed by the other, and frustrate its advantages to the public? Have we not experienced in this state, when a province under the government of the proprietors, the mischiefs of a second branch existing in the proprietary family countenanced and aided by an aristocratic counsel? How many delays and what great expenses were occasioned in carrying on the public business; and what a train of mischiefs, even to the preventing of the defence of the province during several years, when distressed by an Indian war, by the iniquitous demand that the proprietary property should be exempt from taxation! The wisdom of a few members in one single legislative body, may it not frequently stifle bad motions in their infancy, and so prevent their being adopted? whereas if those wise men, in case of a double legislature, should happen to be in that branch wherein the motion did not arise, may it not, after being adopted by the other, occasion long disputes and contentions between the two bodies, expensive to the public, obstructing the public business, and promoting factions among the people, many tempers naturally adhering obstinately to measures they have once publicly adopted? Have we not seen in one of our neighboring states, a bad

measure adopted by one branch of the legislature, for want of the assistance of some more intelligent members who had been packed into the other, occasion many debates, conducted with much asperity, which could not be settled but by an expensive general appeal to the public? And have we not seen in another neighboring state, a similiar difference between the two branches, occasioning long debates and contentions, whereby the state was prevented for many months enjoying the advantage of having senators in the congress of the United States? And has our present legistative in one assembly committed any errors of importance, which they have not remedied, or may not easily remedy; more easily probably than if divided into branches? And if the wisdom brought by the members to the assembly is divided into two branches, may it not be too weak in each to support a good measure, or obstruct a bad one? The division of the legislature into two or three branches in England, was it the product of wisdom, or the effect of necessity, arising from the pre-existing prevalence of an odious feudal system? which government, notwithstanding this division, is now become, in fact, an absolute monarchy; since the ****, by bribing the representatives with the people's money, carries, by his ministers, all the measures that please him; which is equivalent to governing without a parliament, and renders the machine of government much more complex and expensive; and from its being more complex, more easily put out of order. Has not the famous political fable of the snake with two heads and one body, some useful instruction contained in it? She was going to a brook to drink, and in her way was to pass through a hedge, a twig of which opposed her direct course; one head chose to go on the right side of the twig, the other on the left; so that time was spent in the contest, and before the decision was completed, the poor snake died with thirst.

"Hence it is that the two branches should be elected by persons differently qualified; and in short, that, as far as possible, they should be made to represent different interests. Under this reason I would establish a legislature of two houses. The upper should represent the property; the lower, the population of the state. The upper should be chosen by freemen possessing in land and houses one thousand pounds; the lower, by all such as had resided four years in the country, and paid taxes. The first should be chosen for four, the last for two years. They should be in authority co-equal."

Several questions may arise upon this proposition. 1st. What is the proportion of freemen possessing lands and houses of one thousand pounds value, compared to that of freemen whose possessions are inferior? Are they as one to ten? Are they even as one to twenty? I should doubt whether they are as one to fifty. If this minority is to choose a body expressly to control that which is to be chosen by the great majority of the freemen, what have this great majority done to forfeit so great a portion of their right in elections? Why is this power of control, contrary to the spirit of all democracies, to be vested in a minority, instead of a majority? Then is it intended, or is it not, that the rich should have a vote in the choice of members for the lower house, while those of inferior property are deprived of the right of voting for members of the upper house? And why should the upper house chosen by a minority, have equal power with the lower chosen by a majority? Is it supposed that wisdom is the necessary concomitant of riches, and that one man worth a thousand pounds must have as much wisdom as twenty who have each only 999; and why is property to be represented at all?—Suppose one of our Indian nations should now agree to form a civil society;

each individual would bring into the stock of the society little more property than his gun and his blanket, for at present he has no other; we know that when one of them has attempted to keep a few swine, he has not been able to maintain a property in them, his neighbors thinking they have a right to kill and eat them whenever they want provision, it being one of their maxims that hunting is free for all: the accumulation therefore of property in such a society, and its security to individuals in every society, must be an effect of the protection afforded to it by the joint strength of the society, in the execution of its laws. Private property therefore is a creature of society, and is subject to the calls of that society whenever its necessities shall require it, even to its last farthing; its contributions to the public exigencies are not to be considered as conferring a benefit on the public, entitling the contributors to the distinctions of honor and power, but as the return of an obligation previously received, or the payment of a just debt. The combinations of civil society are not like those of a set of merchants who club their property in different proportions for building and freighting a ship, and may therefore have some right to vote in the disposition of the voyage in a greater or less degree according to their respective contributions: but the important ends of civil society, and the personal securities of life and liberty, there remain the same in every member of the society; and the poorest continues to have an equal claim to them with the most opulent, whatever difference time, chance, or industry may occasion in their circumstances. On these considerations I am sorry to see the signs this paper I have been considering affords, of a disposition among some of our people to commence an aristocracy, by giving the rich a predominancy in government, a choice peculiar to themselves in one half the legislature to be proudly called the UPPER house, and

the other branch chosen by the majority of the people degraded by the denomination of the LOWER, and giving to this *upper house* a permanency of four years, and but two to *the lower*. I hope therefore that our representatives in the convention will not hastily go into these innovations, but take the advice of the prophet,—"*Stand in the old ways, view the ancient paths, consider them well, and be not among those that are given to change.*"

THE END.

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